

VILLAGE OF NORTH UTICA
LASALLE COUNTY,
ILLINOIS

ORDINANCE NO. 2015 - 20

AN ORDINANCE
AMENDING THE FIRE PREVENTION AND PROTECTION ORDINANCE
OF THE VILLAGE OF NORTH UTICA, LASALLE COUNTY, ILLINOIS
(Sec. 5-2-5; Burning Restrictions)

WHEREAS, the Village of North Utica (the “Village”) is a Home Rule Municipality in accordance with the Constitution of the State of Illinois, 1970; and

WHEREAS, The Board of Trustees of the Village of North Utica, LaSalle County, Illinois (“the Village”), after full investigation and consideration, has determined it to be in the best interests of the citizens of the Village, and where it is further believed to be necessary and appropriate that the Fire Prevention and Protection, Section 5-2-5 (Burning Restrictions) of the Village’s Ordinances, be amended as follows below:

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF NORTH UTICA, LASALLE COUNTY, ILLINOIS, AS FOLLOWS:

Section 1: Section 5-2-5 shall be stricken and replaced by the following:

5-2-5: BURNING RESTRICTIONS:

A. Outdoor And Indoor Burning Generally:

1. **Outdoor Burning:** No person, firm, corporation, or entity shall burn any wood, trash, paper, rubbish, construction debris, or garbage out of doors anywhere in the Village, except as specifically authorized by this section or any ordinance of the Village. This ordinance shall not prohibit the use of an outdoor fire for cooking or a recreation bonfire. The burning of tree limbs, branches or brush is subject to Section C. below. (Amd by Ord. 2015-____, 8-12-2015)
2. **Indoor Burning:** No person, firm, corporation, or entity shall burn any trash, paper, rubbish or garbage anywhere indoors in the Village except in an incinerator complying with all applicable laws and ordinances.

B. Approval Required:

1. Except as otherwise permitted within this ordinance, no person shall kindle or maintain any fire that contains wood, trash, paper, rubbish, construction debris or garbage or authorize any such fire to be kindled or maintained on any public or private real property without first obtaining approval of the Fire Chief (or his designee) of the fire district having jurisdiction over the area of the intended fire, and the Illinois Environmental Protection Agency (IEPA), if required. Satisfactory evidence of said approval(s) shall be supplied to the Village President and/or Village Clerk prior to the start of the fire. (Amd by Ord. 2015-___, 8-12-2015)
2. There shall be no charge for the permit.
3. During construction or demolition of buildings or structures, no waste materials or rubbish shall be disposed of by burning on the premises or in the immediate vicinity without complying with this Ordinance. (Amd by Ord. 2015-___, 8-12-2015)

C. Open Burning Of Leaves: The open burning of leaves, tree limbs, branches, or brush within the Village limits is prohibited except as follows:

1. Time Established: The open burning of leaves shall be permitted only during the period from September 15 through December 15 and from April 1 through April 30. During said period of times, the open burning shall be permitted only between the hours of eight o'clock (8:00) A.M. and six o'clock (6:00) P.M.
2. Where Permitted:
 - a. The open burning is not permitted on public rights of way including, but not limited to, sidewalks, roadways, alleys and all paved areas of Village property without prior written approval of the Board of Trustees.
 - b. No person shall burn any materials unless such a fire is located at least twenty feet (20') from any structure.
3. Fires To Be Attended: A responsible adult shall constantly attend any fire resulting from the open burning until such fire is extinguished. (Amd by Ord. 2015-___, 8-12-2015)

D. Fires Near Buildings, On Public Ways: It shall be unlawful to build or light any bonfire so close to any structure as to endanger such building or structure or on any public street or sidewalk pavement. Determination of a danger shall be made by the Fire Chief (or his/her designee) of the fire district having

jurisdiction over the area and/or the Village Police Chief or his/her designee.
(Amd by Ord 2015-__, 8-12-2015)

- E. Authority To Restrict Burning: The Fire Chief, or his/her designee, of the fire district having jurisdiction over the area, and/or the Chief of the Police Department, or his/her designee, may prohibit any and all bonfires and all outdoor burning of leaves, brush, trash, papers, rubbish and garbage when conditions or circumstances make such fires hazardous in his/her sole determination. (Amd by Ord 2015-__, 8-12-2015)
- F. Exemptions From Provisions: Nothing in this section shall be deemed to prohibit the use of wood in stoves used for cooking, the use of wood in fireplaces or decorative fires or the use of wood in fireplaces or stoves designed for heating. (Ord. 2003-59, 12-10-2003)
- G. Penalty: Any person violating any provision of this section shall be fined not less than one hundred dollars (\$100.00) nor more than seven hundred fifty dollars (\$750.00) for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. (Ord. 2003-59, 12-10-2003; amd. 2013 Code)

Section 2: All parts of Ordinances or Amendments in conflict herewith are hereby repealed.

Section 3: This Ordinance shall be effective as of its adoption.