

**SECTION 5.05
OF THE TOWN OF SHEBOYGAN MUNICIPAL CODE
OPEN BURNING**

Section 1.

The purpose of this Ordinance is to protect and foster the health, safety and well being of persons in the Town of Sheboygan for the protection of property rights and to protect individuals from injury. The Town of Sheboygan has experienced and continues to experience significant residential and commercial development; and the Fire Chief of the Town of Sheboygan Fire Department has recommended that the Town Ordinances related to grass and rubbish burning be updated to include regulations for cooking grills.

(1) Burning Permitted

No person shall burn any wood, grass, leaves, rubbish or other combustible material upon the streets of the Town at any time, nor shall any person burn any wood, grass leaves, rubbish or other combustible material upon any lot or lands located in the Town, except between the hours of 4 pm and 9 pm of each day, but at no time shall a fire be built within fifty feet (50') of any structure, building or pile of lumber, nor shall the smoke or heat aided by such combustion be an annoyance or discomfort to the neighborhood or traveling public, except recreational fires shall not be located within twenty-five feet (25') of a structure or combustible material unless contained in an approved manner and are specifically excluded from the time limitations set forth in this Ordinance.

(2) Permits Required

Any person, persons, firm or corporation may apply to the Fire Chief for a permit for authority to burn at times other than specified in this Ordinance, and that said permit shall specify the conditions and restrictions under which burning shall be conducted.

(3) Fires Must Be Attended

Open fires and cooking fires shall be constantly attended by a competent person until such fire is extinguished. This person shall have a garden hose connected to the water supply or other fire extinguishing equipment readily available for use.

(4) Grill Regulations

For other than one and two family dwellings, no hibachi, gas fired grill, charcoal grill, or other similar devices used for cooking, heating, or any other purpose, shall be used or kindled on any balcony or under any overhang portion or within ten feet (10') of any structure. Electric ranges, grills, or similar electrical apparatus shall be permitted if listed in the National Fire Protection Association Uniform Fire Code.

(5) Penalty

The penalty for violation of this section shall be a penalty as provided in Section 11.04(c) of this Code.

Section 2. Amending Code. Section 2.05(2)(b)3 is hereby amended to rename this section from “Grass & Rubbish burning (Section 5.05)” to “Open Burning Regulations (Section 5.05)”.

Section 3. Severability. Should any portion of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder shall not be affected.

Section 4. Effective Date. This Ordinance shall take effect upon passage and publication required by law.

Enacted February 22, 2011
By Town Chairman Daniel Hein

Cathy Conrad, Town Clerk certifies the above ordinance was duly enacted by the Town Board on February 22, 2011 and has been published and posted as required.

History

Amended 2-22-2011

Amended 6-19-2005