

Chapter 8.32 - OPEN BURNING

8.32.010 - Definitions.

"Landscape waste" means any leaves, grass clippings, brush, branches, tree limbs, weeds or other combustible plant matter.

"Open burning" means the burning of any materials wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber. For the purpose of this definition, a chamber shall be regarded as enclosed, when during the time combustion occurs, only apertures, ducts, stacks, flues or chimneys necessary to provide combustion air and permit the escape of exhaust gas are open. A chamber does not include a device commonly known as a "burn barrel." Open burning does not include an outdoor fire utilized to cook food for human consumption.

"Recreational fires" means a temporary outdoor fire for warmth, cooking for human consumption, or for non-ceremonial purposes where the fire is not larger than three feet by three feet.

8.32.020 - Open burning of materials other than landscape waste.

The open burning of any material other than landscape waste is prohibited, unless by special permit issued by the fire chief.

8.32.030 - Open burning of landscape waste.

The open burning of wet landscape waste is prohibited.

Open burning of dry landscape waste is prohibited other than Tuesday and Saturday between the hours of nine a.m. and sunset during all months.

Open burning is not permitted during wind conditions that could place surrounding structures in jeopardy.

8.32.035 - Recreational fires.

Small recreational (temporary) fires are allowed if the following conditions are met:

1. All recreational fires must be contained in dry stacked stone, masonry, or manufactured metal fire pits, rings, or fireplaces no larger than three-foot diameter burning area.
2. All fire pits must be elevated above ground level and resting on a solid, non-combustible surface.
3. All recreational fires must be at least ten (10) feet from any building, structure, or vehicle and are not permitted in any part of the front yard (that portion of the yard that extends past the front facade of the house).
4. Fuel for fires shall be dry, seasoned wood or equal. No building materials, garbage or yard waste is allowed.
5. All recreational fires must be attended at all times by a person of at least sixteen (16) years of age or older.
6. Recreational fires are allowed between the hours of nine a.m. and midnight, except when there are sustained winds of fifteen (15) mph or more or gusts of twenty (20) mph or more.
7. All recreational fires must be completely extinguished before abandoning for the night.

The Streator Fire Department reserves the right to extinguish recreational fires that [are] not [in] full compliance with this ordinance.

8.32.040 - Emergency ban.

The fire chief or the police chief may prohibit or suspend any open burning otherwise permitted under this section if he or she determines that conditions are such that burning substantially threatens the health, safety and welfare of persons or property.

8.32.050 - Attendance of fires.

All open burning shall be continuously attended by a person of sixteen (16) years of age or older, turned at frequent intervals to keep smoke generation at a minimum, and all fires shall be completely extinguished before abandoning the fire, or by sunset, whichever is earlier.

8.32.060 - Burning site.

The perimeter of any site for the open burning of dry landscape waste shall be at least ten (10) feet from any building structure, and at least two feet from any public roadway including sidewalks, concrete curb or guttering. In no event shall any person burn dry landscape waste on a site if the burning will endanger any building structure or adjoining property.

8.32.070 - Special permit.

Application may be made to the fire chief for the issuance of a special permit for the open burning of any material at least seven days before such burning shall take place. The application shall fully describe:

- A. The material to be burned;
- B. The location and dimensions of the burning site;
- C. The date and time of the burning;
- D. The person who will attend the fire;
- E. The on-site fire extinguishing equipment to be provided;
- F. The reasons why strict adherence to this ordinance would create a unique hardship to the applicant; and
- G. Such other information reasonably required by the fire chief.

A decision on the application will be made within four days of receipt. An appeal of the fire chief's decision by either party may be made to the city manager whose decision will be final and appealable under the Administrative Review Law, 735 ILCS 5/3-101 et seq.

8.32.080 - Penalty for violation.

This chapter will be enforced pursuant to Chapter 1.08 (General Penalty); provided, that any person convicted of violating the provisions of this section shall be punished by fine not to exceed seventy-five dollars (\$75.00) for the first offense and the sum of seventy-five dollars (\$75.00) plus an increment of fifty dollars (\$50.00) per offense for each subsequent offense.

This chapter shall be enforced by the fire chief and the police chief and their respective designees.