

ORDINANCE NO. F-0155

AN ORDINANCE AMENDING CHAPTER 54 OF THE WHEATON CITY CODE-
ARTICLE IV. OPEN BURNING/SMOKE EMISSIONS

BE IT ORDAINED by the Mayor and City Council of the City of Wheaton, DuPage County, Illinois, pursuant to its home rule powers, as follows:

Section 1: That Section 54-113 (Open burning), Article IV. (Open Burning/Smoke Emissions), of Chapter 54 (Solid Waste), of the Wheaton City Code is hereby amended by deleting said section in its entirety and replacing it with the following:

"Section 54-113. Open burning.

The open burning of a grass or wooded plot, herbage, shrubbery, leaves, grass brush, trimmings from trees or bushes, wood, paper, garbage, refuse, waste or other combustible material on any property, public or private, from any source whatsoever, within the City is unlawful and is hereby prohibited, with the following exceptions:

- (a) Fires set and supervised or authorized by the Fire Chief of the City for public safety, training, silvicultural or wildlife management, or similar purposes and have been approved by the state or local governmental agency having jurisdiction.
- (b) Bonfires which are being conducted under permit issued by the Fire Chief or his designate after being reviewed for the following:
 - (1) Bonfire locations shall be approved by the Fire Chief or his designate.
 - (2) The size and duration of a bonfire shall be approved by the Fire Chief or his designate based upon fire safety requirements including but not limited to atmospheric and weather conditions, proximity to structures, combustible materials, flammable liquids or vapors.
 - (3) Bonfire materials shall be seasoned wood only.
 - (4) All permits shall be requested by and issued to the property owner of the land upon which the bonfire is to be kindled.

(c) Recreational Fires.

- (1) Fires for the express purpose to cook food for human consumption, such fires may be contained in charcoal burners, or the like.
 - (2) Burning within commercially manufactured portable fireplaces or equal, but only if:
 - a. The portable fireplace is utilized in accordance with the manufacturers use guidelines or the guidelines listed below, whichever is more restrictive.
 - b. Location: A safe and reasonable clearance from any building, structure or vehicle. The portable fireplace shall not be placed on any combustible surface, shall be raised above the ground and shall be kept away from any flammable liquids or vapors.
 - c. Fuel: The fuel for the portable fireplace shall be dry seasoned wood or equal; no household or landscape waste shall be burned.
 - d. Attendance: The portable fireplace shall be attended at all times during use. The fire shall be entirely extinguished prior to leaving the portable fireplace unattended.
 - (3) Campfires shall be built directly on the ground requiring a six (6) foot minimum diameter area that contains no organic material. The campfire shall not contain more than eight (8) cubic feet of fuel material. Campfires shall not be built closer than thirty (30) feet to any building, structure or vehicle.
- (d) When atmospheric conditions or local circumstances make any approved open burning hazardous, the Fire Chief or his designate shall order the open burning extinguished."

Section 2: That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3: That this ordinance shall become effective from and after its passage, approval and publication in the manner provided by law.

ATTEST:

Emily M. Canolazio
City Clerk

Mayor

James Carr

Ayes:

Roll Call Vote:
Councilman Eckhoff
Councilman Gresk
Mayor Carr
Councilman Johnson
Councilwoman Johnson
Councilman Mork
Councilwoman Davenport

Passed: July 21, 1997
Published: July 22, 1997