

CHAPTER 3 FIRE PREVENTION AND PROTECTION

Whereas, the Town of Wilson is concerned about residents burning refuse within Town limits, based on concerns about safety and the environment;

Now, therefore, the Town Board of the Town of Wilson does hereby ordain Chapter 3 of the Code of General Ordinances of the Town of Wilson as follows:

3.01 Burning Refuse Prohibited.

It shall be unlawful for any person to burn out of doors refuse within residential zoned districts in the Town of Wilson.

3.02 Open Burning Prohibited.

It shall be unlawful for any person to kindle, start, or maintain a fire in the open air within the Town of Wilson, except as provided in Section 3.03. All other forms of open burning, other than those listed in Section 3.03, shall be prohibited without authorization from the Fire Chief of the Town.

3.03 Exceptions to Open Burning Prohibition.

Open burning is permissible under the following conditions:

- a. practice fires set by any organized fire department for practice or instruction of firefighters, or testing firefighting equipment;
- b. fires set by fire or law enforcement personnel for the purpose of burning explosives or dangerous material for which there is no other safe means of disposal;
- c. fires set for outdoor cooking as long as the wood or other nonexplosive fuel is being burned for the purpose of cooking is kept under constant supervision is contained in a substantial burner and is not closer than ten (10) feet to any building;
- d. recreational bonfires or campfires as long as the fuel for bonfires consists of wood only is not ignited with flammable or combustible liquids, is not closer than twenty (20) feet to any building or structure, and is not more than twenty-four (24) inches above grade or the landscape;
- e. burning of brush or weeds on agricultural lands with a permit from the Town Fire Chief or his designee.

3.04 Enforcement. The Fire Chief of the Town of Wilson Fire Department, and/or his designees, and/or the Town Board, shall enforce the regulations of this chapter and all other laws relating to the prevention of fires, and the storage, sale, use and handling of combustibles and explosives.

3.05 Special Charges.

Whenever it is necessary for the Fire Department to contain, remove, or extinguish any fire on private property within the Town of Wilson, or to contain, remove, or dispose of any hazardous substance from private property within the Town, the Fire Department shall render to any party possessing, controlling, or causing the fire or discharge of hazardous substance a bill for the immediate payment of costs of the containment, removal, extinguishment, or disposal. For purposes of this subsection, the term "hazardous substance" means any substance which may pose a substantial present or potential hazard to human health, safety or the environment because of quantity; concentration; or physical, chemical or infectious characteristics.

3.06 Violations and Penalties.

Any person who violates, disobeys, neglects, omits, or refuses to comply with shall forfeit not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00) for each offense, together with the costs of prosecution, and in default of payment of such forfeiture and costs of prosecution shall be imprisoned in the Sheboygan County Jail until said forfeiture and costs are paid, but not to exceed thirty (30) days for each violation.

Effective Date. The herein Ordinance shall take effect upon enactment and publication.

Enacted this 21st day of September, 1998.
Town of Wilson by Keith Schachel, Chairman

This is to certify that the foregoing Ordinance was duly enacted by the Town Board of the Town of Wilson on the 21st day of September, 1998. Catherine Conrad, Clerk.
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