VILLAGE OF STRUM, WISCONSIN

ORDINANCE NO. 32-130

OPEN BURNING ORDINANCE

SECTION 1. PURPOSE AND INTENT

The purpose of this ordinance is to promote public health, safety, welfare, and air quality by regulating outdoor burning within the Village of Strum and reducing the risk of fire hazards, nuisance smoke, and environmental damage.

SECTION 2. AUTHORITY

This ordinance is adopted pursuant to the authority granted under Wisconsin Statutes, including but not limited to §§ 61.34, 101.14, 26.11, and applicable Wisconsin Administrative Code provisions relating to open burning.

SECTION 3. APPLICABILITY

This ordinance applies to all persons, properties, and premises located within the corporate limits of the Village of Strum.

SECTION 4. DEFINITIONS

For purposes of this ordinance:

1. **Open Burning** means the burning of any material in such manner that products of combustion are emitted directly into the ambient air without passing through a chimney or stack.
2. **Recreational Fire** means a small outdoor fire intended for cooking, warmth, or ceremonial purposes and not for disposal of refuse or yard waste.
3. **Fire Pit** means a commercially manufactured or permanently constructed non-combustible container designed for recreational fires.
4. **Refuse** means garbage, rubbish, paper, cardboard, plastics, rubber, treated wood, construction debris, furniture, shingles, petroleum products, or any material prohibited by Wisconsin DNR regulations.
5. **Clean Wood** means natural untreated wood that is not painted, stained, laminated, glued, or pressure treated.

SECTION 5. GENERAL PROHIBITION

No person shall engage in open burning within the Village of Strum except as specifically permitted under this ordinance.

SECTION 6. PERMITTED RECREATIONAL FIRES

Recreational fires shall be permitted subject to the following conditions:

1. Fires shall be contained in an approved fire pit, outdoor fireplace, chiminea, grill, or similar device.
2. Fires shall not exceed:
    - Three (3) feet in diameter; and
    - Two (2) feet in height.
3. Only the following materials may be burned:
    - Clean, dry firewood;
    - Charcoal;
    - Natural untreated brush for recreational purposes. (Must fit inside burn ring)
4. Recreational fires shall be located:
    - At least fifteen (15) feet from any structure, combustible material, lot line, or public sidewalk unless otherwise approved by the Fire Chief.
5. Fires shall be constantly attended by a competent person at least eighteen (18) years of age until extinguished.
6. A functional extinguishing method shall be immediately available, including:
    - Garden hose;
    - Fire extinguisher;
    - Sand or water bucket.
7. No recreational fire may create excessive smoke, odor, ash, or airborne embers that interfere with neighboring properties or public streets.

SECTION 7. PROHIBITED BURNING

The following materials shall **not** be burned at any time:

1. Garbage or household waste;
2. Plastics;
3. Rubber products;
4. Asphalt materials;
5. Petroleum products;
6. Painted or treated wood;
7. Construction or demolition debris;
8. Furniture or mattresses;
9. Leaves or grass clippings;
10. Tires;
11. Electronics;
12. Any material prohibited by Wisconsin DNR regulations.

SECTION 8. YARD WASTE AND BRUSH

A. Burning of leaves, grass, and yard waste is prohibited.

B. Brush burning may be allowed only with written approval from the Fire Chief or designee and in compliance with Wisconsin DNR regulations.

SECTION 9. BURN BANS AND EMERGENCY RESTRICTIONS

The Village President, Fire Chief, or authorized emergency official may prohibit all outdoor burning during periods of elevated fire danger, drought, high winds, or emergency conditions.

Notice of burn bans may be posted on the Village website, social media, public bulletin boards, or other reasonable methods.

SECTION 10. NUISANCE CONDITIONS

Any fire producing offensive smoke, odors, ash, or airborne embers affecting neighboring property may be declared a public nuisance and ordered extinguished immediately.

SECTION 11. ENFORCEMENT

This ordinance shall be enforced by:

- The Village Fire Department;
- Law enforcement officers;
- Building inspectors; or
- Other authorized Village officials.

Officials may order any unlawful or unsafe fire extinguished immediately.

SECTION 12. PENALTIES

Any person violating this ordinance shall forfeit:

- Not less than $50 and not more than $500 for each offense, plus applicable court costs.
- Each day a violation continues constitutes a separate offense.

The Fire Department may also recover costs associated with fire suppression or emergency response including non-permitted burning violations.

SECTION 13. LIABILITY

The person responsible for any fire shall be liable for all damages and suppression costs resulting from escape or spread or burning of the fire.

SECTION 14. SEVERABILITY

If any section or provision of this ordinance is found invalid or unconstitutional, such finding shall not affect the validity of the remaining provisions.

SECTION 15. EFFECTIVE DATE

This ordinance shall take effect upon passage and publication as provided by law.

ADOPTED by the Village Board of the Village of Strum, Wisconsin, this 8th day of June, 2026.

Dean Bartos

Village President

ATTEST:

Village Clerk