

Delafield Municipal Code  
9.14 Regulations for Burning.(Rep. & recr. #280)

(1) Open burning. Open burning is defined as a controlled, limited size, open area fire. Open burning in the City is prohibited, except as follows:

(a) Permit required. (Am. #574)

1. No permit is required.
2. Exceptions: The following are permitted and not subject to requirements listed below, excluding (1)(h):
  - a. Outdoor Cooking.
  - b. Campfires.
  - c. Training for fire department.

(b) Size of pile. The size of the pile of material to be burned shall not exceed 4' by 4' by 3' high or as permitted by the Fire Chief.

(c) Location and requirements of non-contained fires. (Am. #574)

1. Piles of material or non-contained material being burned shall be at a distance of 50 feet from any structure, wood or lumber pile, wooden fence, trees or bushes; and provision shall be made to prevent the fire from spreading to such items; or
2. Contained burning shall be an approved burner located at least 25 feet from any structure, wood or lumber pile, wooden fence, tree or brush.

(d) Material for burning.

1. Fuel for open burning shall consist of dry material only and shall not be ignited with flammable or combustible liquids.
2. Material for open burning may not include rubbish, garbage, any material made of or coated with rubber, plastic, leather or petroleum based materials and may not contain any flammable or combustible liquids.

(e) Supervision. (Am. #574) Open burning shall be constantly attended and supervised by a competent person at least 16 years of age until such fire is extinguished. This person shall have fire extinguishing equipment available.

(f) Time of burn. Open burning shall be permitted only from 7 a.m. to 1/2 hour after sunset or as permitted by the City Fire Department.

(g) Prohibitions. Outdoor burning shall be prohibited as follows:

1. When the wind velocity exceeds 9 MPH or local circumstances make the fire potentially hazardous. Local circumstances include, but are not limited to, thermal inversions, ozone alerts, and very dry conditions. (Am. #574)
2. No open burning shall be permitted when the location of the pile of material and the wind velocity may cause smoke to create a nuisance for adjacent property owners. This prohibition shall apply regardless of the wind velocity.

3. No burning shall take place within 25' of the high watermark of lakeshores, streams or other watercourses or in roadside ditches in the City.
4. Burning of standing or razed buildings. No building, structure or materials from a razed building shall be burned, unless it shall be a fire for the practice and instruction of firepersons or the testing of firefighting equipment and shall be under the supervision of the Fire Department.
5. There shall be no burning on construction sites of any building materials at any time.
6. No burning shall be permitted on any day deemed by the State as an "atmospheric alert" day. (Cr. #388)
7. Burning shall not be permitted on any Federal holiday or the weekend associated with it. If the holiday falls on Tuesday, Wednesday, or Thursday there is no weekend associated with the holiday. (Am. #574)

(h) Emergencies. (Am. #574) Whenever because of extreme dryness or drought the Fire Chief shall deem it necessary to prohibit the setting of fires upon any land within the City, the Chief shall, by proclamation, declare an emergency and cause to be published in the official newspaper a notice forbidding the setting of fires within the City.

(2) Bonfires.

(a) Definition. A bonfire is defined as a large open area fire kindled to mark a public event, victory celebration or similar occurrence where dry, combustible materials, such as wood, paper and similar items, are burned.

(b) Prior approval. All persons shall obtain authorization from the Fire Chief before kindling or maintaining any bonfire or authorizing the kindling or maintaining of any bonfire on any premises in the City.

(c) Quantity of material to be burned. The allowable quantity of material to be burned shall be determined by the Fire Chief and shall be based upon the fire safety considerations of the situation and the desired duration of burn.

(d) Material for burning.

1. Fuel for bonfires shall consist of dry material only and shall not be ignited with flammable or combustible liquids.
2. Material for bonfires may not include rubbish, garbage, trash, any material made of or coated with rubber, plastic, leather or petroleum based materials and may not contain any flammable or combustible liquids.

(e) Other regulations. Persons kindling or maintaining bonfires or authorizing the kindling or maintenance of bonfires shall be subject to the ordinances and regulations of the City Fire Department.