

**Town of Spring Brook  
Dunn County, Wisconsin**

**Burning Permit Ordinance**

**SECTION 1: PURPOSE**

This ordinance is intended to promote the public health, safety, and welfare and to safeguard the health, comfort, living conditions, safety and welfare of the citizens of the Town of Spring Brook, Dunn County, Wisconsin due to the air pollution and fire hazards of open burning, outdoor burning, and refuse burning.

**SECTION 2: APPLICABILITY**

This ordinance applies to all outdoor burning and refuse burning within the Town of Spring Brook.

- A. This ordinance does not apply to grilling or cooking using charcoal, wood, propane or natural gas in cooking or grilling appliances.
- B. This ordinance does not apply to burning in a stove, furnace, fireplace or other heating device within a building used for human or animal habitation unless the material being burned includes refuse as defined in Section 4 of this ordinance.
- C. This ordinance does not apply to the use of propane, acetylene, natural gas, gasoline or kerosene in a device intended for heating, construction or maintenance activities.

**SECTION 3: SEVERABILITY**

Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

**SECTION 4: DEFINITIONS**

- A. "Campfire" means a small outdoor fire intended for recreation or cooking not including a fire intended for disposal of waste wood or refuse.
- B. "Fire Chief" means the Chief of the Elk Mound Fire District and/or the Menomonie Fire District or other person(s) authorized by the Fire Chiefs.
- C. "Open Burning" means kindling or maintaining a fire where the products of combustion are emitted directly into the ambient air without passing through a stack or a chimney from an enclosed chimney.
- D. "Refuse" means any waste material except clean wood.

**SECTION 5: MATERIALS THAT MAY NOT BE BURNED**

- A. Rubbish or garbage including, but not limited to, food wastes, food wraps, packaging, animal carcasses, paint or painted materials, furniture, composite shingles, construction or demolition debris, or other household or business wastes.
- B. Waste oil or other oily wastes except used oil burned in a heating device for energy recovery subject to the restrictions in Chapter NR 590, Wisconsin Administrative Code.
- C. Asphalt and products containing asphalt.
- D. Treated or painted wood including, but not limited, to plywood, composite wood products, or other wood products that are painted, varnished, or treated with preservatives.
- E. Any plastic material including, but not limited to, nylon, PVC, ABS, polystyrene or urethane foam, and synthetic fabrics, films, and containers.
- F. Rubber including tires and synthetic rubber-like products.

**SECTION 6: BURNING PERMITS**

- A. No person shall start or maintain any open burning without first having contacted their fire department permit agent that serves their property and second having contacted the Dunn County Dispatch (Communication Center). This requirement shall apply throughout the year.
- B. An outdoor campfire does not require a permit provided that the fire complies with all other applicable provisions of this ordinance.
- C. Any person responsible for burning leaves, brush, clean wood or other vegetative debris shall contact the fire department that serves their property and also contact the Dunn County Non-Emergency Dispatch.
- D. When weather conditions warrant, the Fire Chiefs or the Department of Natural Resources may declare a burning moratorium on all open burning and temporarily suspend previously-issued burning permits for open burning.
- E. A burning permit issued under this section shall require compliance with all applicable provisions of this ordinance and any additional special restrictions deemed necessary to protect public health and safety.
- F. Any violation of the conditions of a burning permit shall be deemed a violation of this ordinance. Any violation of this ordinance or the burning permit shall void the permit.
- G. Fires set pursuant to permits must be attended by at least one responsible person at all times. There shall be no exceptions to this requirement.
- H. Permits shall be granted for only one (1) fire and shall be valid only for the day of issuance between the hours of 6:00 a.m. and 12:00 p.m. (midnight).

**SECTION 7: PERMIT AGENT**

Persons desiring to burn shall contact the fire department that serves their property, which is designated to act as the Town of Spring Brook’s permit agent in the granting or denial of permits under this ordinance, **and** shall also contact the Dunn County Dispatch (Communication Center). Those phone numbers are as follows:

- A. Elk Mound Fire District 715-879-5432 (leave name/date/time of burn on recorder)
- B. Menomonie Fire District 715-232-2414
- C. Dunn County Dispatch 715-232-1348

**SECTION 8: LIABILITY**

A person utilizing or maintaining an outdoor fire shall be responsible for all fire suppression costs and any other liability resulting from damage caused by the fire.

**SECTION 9 – EFFECTIVE DATE**

This Ordinance is effective upon publication. The Town Clerk shall properly post or publish this Ordinance as required under s. 60.80, Wis. Stats.

Adopted this 5<sup>th</sup> day of October 2009

Town Board of Town of Spring Brook,  
Dunn County, Wisconsin.

Attest:

signed  
Marvin D. Saxton, Chairperson

signed  
Mary L. Strand, Clerk

signed  
Michael J.H. Hase, Supervisor #1

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signed  
John E. Schaefer, Supervisor #2