

**VILLAGE OF NORTH BARRINGTON
AN ORDINANCE REGULATING OUTDOOR BURNING
(Amending and Restating Chapter 4 of Title 4)**

WHEREAS, the Village of North Barrington encourages residents to mulch or compost leaves when wooded areas are available on their property; and

WHEREAS, the burning of leaves and other landscape waste does produce smoke and soot which can have an adverse effect upon the health of citizens in our community and

WHEREAS, existing buildings in the Village, as well as persons engaging in outdoor recreation activities may be adversely affected by the exposure to smoke and soot; and

WHEREAS, the Village Board recognizes the need to balance the legitimate interest of the property owners to provide the best possible environment for our residents and yet not cause an additional burden to property owners in maintaining their properties.

NOW, THEREFORE, Be It Ordained by the President and Board of Trustees of the Village of North Barrington, Illinois as follows:

Section 1. Chapter 4 of Title 4 of the Village Code of North Barrington is hereby amended and restated in its entirety, as follows:

CHAPTER 4: BURNING

Section:

- 4-4-1 Definitions
- 4-4-2 Prohibition
- 4-4-3 Times and Days Burning Permitted
- 4-4-4 Safety Regulations; Public Nuisances
- 4-4-5 No Off-site Material May Be Burned
- 4-4-6 Penalty

4-4-1 Definitions

(A) The following words and terms shall, for the purposes of this Chapter, have the meanings set forth herein:

1. Bonfire: An outdoor fire utilized for ceremonial purposes not contained within a structure.

2. Conservation Burn: Open burning for recognized prairies, open spaces, controlled burning or range of wildlife management practices or prevention or control of disease or pests.
3. Landscape Burns: Open burning of landscape materials to dispose of excess landscape materials, excluding leaves (branches and similar materials) in normal household landscape maintenance.
4. Leaf Burns: Open burning of leaves.
5. Recreational Fires: An outdoor fire contained within a structure designed to house a small fire for personal use.

4-4-2 Prohibitions

- (A) It shall be unlawful:
1. To have an open fire anywhere in the Village except in compliance with the provisions of this Chapter.
 2. To burn manure, garbage, food, plastic or food waste, or any materials other than leaves, branches, and clean, unpainted wood pursuant to the provisions of this Chapter.
 3. To build, kindle, light or permit a fire on any public street or right-of-way within the Village.

4-4-3 Time and Days Certain Burning Permitted; Notification Requirements

- (A) Landscape Burn: Landscape burns may be conducted only on the following days and during the following times:
1. January through December any day between (12:00) P.M. and (5:00) P.M. but not on any national holiday that falls on those days.
- (B) Leaf Burn:
- Leaf burns may be conducted only on the following days and during the following times:
1. April 1 to May 31 and October 1 to November 30: On each Thursday and Sunday between 10:00 A.M. and 3:00 P.M., but not on any national holiday that falls on those days.
- (C) Conservation burns are permitted subject to the following:

1. The Fire Protection District that serves the property where the burn is proposed shall be notified and give permission if the District has a permit procedure.
 2. The person or entity proposing the burn shall have received a valid conservation burn permit from the Illinois Environmental Protection Agency, if applicable.
- (D) Recreational Fires are allowed at any time subject to the provisions of Section 4-4-4.

4-4-4- Safety Regulations; Public Nuisance

All permitted open burning shall be subject to the following requirements:

- (A) A member of the Lake County Sheriff's Department or the Village Code Enforcement Officer or his designee shall have power to order any fire to be extinguished when, in the judgment of either of them, there is a substantial danger of fire spread or if any of the safety provisions of this Chapter are not complied with. If a member of the Lake County Sheriff's Department or the Village Code Enforcement Officer or his designee determines that the fire constitutes a public nuisance, the fire shall be extinguished.
- (B) All fires shall be continuously attended by an adult of eighteen (18) years of age or greater, and no fire shall be allowed that is reasonably determined to pose danger to the safety of any building, structure, or nearby trees.
- (C) There shall be a readily-available source of sufficient water to extinguish the fire.
- (D) All burning is prohibited when the surface wind speed exceeds 10 miles per hour.
- (E) No fire shall be set or permitted within 25 feet of any building or structure.

4-4-5 No Off-site Materials May Be Burned

No person shall burn any materials which he or she has brought or allowed to be brought onto his property from any other location.

4-4-6 Penalty

Any person, firm, or corporation committing a first violation of the provisions of the Chapter shall be given a warning; for the second offense there shall be a fine of \$200, for each subsequent offense, there shall be a fine of \$500.

Section 2. Effective Date: This Ordinance shall be in full force and effect from and after its passage and approval as required by law. This Ordinance shall be published in pamphlet form.

Passed this 17th day of December 2007 by roll call vote as follows:

	AYES	NAYS	ABSENT	ABSTAIN
Trustee Edmund P. Boland	_____	X	_____	_____
Trustee Richard Contorno	_____	_____	X	_____
Trustee Jane Farrell	X	_____	_____	_____
Trustee Mark Kolar	X	_____	_____	_____
Trustee Albert R. Pino	X	_____	_____	_____
Trustee Lawrence Jay Weiner	_____	_____	X	_____
President Bruce J. Sauer	X	_____	_____	_____

APPROVED THIS 17th DAY OF DECEMBER, 2007

Bruce J. Sauer, Village President

(SEAL)

ATTEST: _____
Kris Lennon, Deputy Village Clerk