

ORDINANCE NO. 07-02-01**AN ORDINANCE AMENDING TITLE IX, CHAPTER 9.16,
SECTION 9.16.040 OF THE VILLAGE OF
PRINCEVILLE MUNICIPAL CODE PERTAINING TO FIRES**

WHEREAS, Section 11-19-5 of the Illinois Municipal Code, 65 ILCS 5/11-19-5, authorizes a municipality to regulate methods of disposition of garbage, landscape waste, and other refuse; and

WHEREAS, Section 11-19.1-11 of the Illinois Municipal Code, 65 ILCS 5/11-19.1-11, authorizes a municipality to lessen or prevent air contamination by regulating activities which cause such contamination; and

WHEREAS, Section 11-20-5 of the Illinois Municipal Code, 65 ILCS 5/11-20-5, authorizes a municipality to make all regulations necessary or expedient for the promotion of health; and

WHEREAS, Section 11-8-4 of the Illinois Municipal Code, 65 ILCS 5/11-8-4, authorizes municipalities to regulate or prevent the building of bonfires; and

WHEREAS, the Corporate Authorities of the Village of Princeville ("Corporate Authorities," "Village") find that regulating open burning within the Village through the rules and requirements established below will control the discharge of air contaminants within the Village, reduce risks associated with open fires, and otherwise promote the public health within the Village.

NOW THEREFORE BE IT ORDAINED by the President and Board of Trustees of the Village of Princeville, Peoria County, Illinois, as follows:

Section 1: Title 9 *Public Peace, Morals and Welfare*, Chapter 9.16 *Offenses Pertaining to Property*, Section 9.16.040 *Fires* of the Village of Princeville Municipal Code is hereby amended by replacing it in its entirety with the following:

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9.16.040 Open Burning and Bonfires

- A. Definition. "Landscape waste" as used in this Section means all accumulations of grass or shrubbery cuttings, leaves, tree branches, and other materials accumulated as the result of the care of the lawn, shrubbery, vines, and trees.
- B. Duty of Owner. It shall be the duty of the owner of the premises on which open burning or a bonfire occurs to comply with or cause compliance with the provisions set forth in this Section, as such provisions now exist or may from time to time be amended.
- C. Open Burning Generally Prohibited. Open burning within the Village is prohibited, except as permitted in this Section.
- D. Permissible Open Burning. Open burning is permitted within the Village when there is compliance with all of the following:
 - 1. Landscape waste may be burned from sunrise until 5:00 p.m. on Tuesdays, Thursdays, Saturdays, and Sundays, except that such burning is prohibited at all times on Halloween.
 - 2. All fires must be completely extinguished by 5:00 p.m.
 - 3. Open burning of landscape waste is permissible only for landscape waste which is dry, and which was generated on the premises where the fire is located.
 - 4. A fire must be attended at all times by a competent person over the age of 16. A water supply adequate for extinguishing the fire always must be present.
 - 5. Open burning is prohibited on all public streets, rights of way, and sidewalks; and further is prohibited at any location sufficiently close to any building or structure that the fire would place the building or structure at risk.
- E. Bonfires. It is unlawful to build or light any bonfire so close to any building or other structure as to endanger such building or structure, or on any public street, rights of way, or sidewalk. Only dry wood, and no garbage or other refuse, may be burned in a bonfire.

- F. Recreational Fires. Nothing in this Section shall be construed to prohibit fires used for cookouts or in patio fire pits.
- G. Violations. Any person who violates or fails to comply with any provision of this Section shall be fined \$50 per occurrence, plus the Village's costs.

Section 2: This Ordinance shall be effective immediately on passage and publication according to law.

Adopted by the Board of Trustees of the Village of Princeville pursuant to a roll call vote on this 20th day of FEBRUARY, 2007, and approved by its President on the 20th day of FEBRUARY, 2007.

Ayes (by name) SUTHERLAND, RASMUSSEN, TRAUTMAN, KOLLER, KNAPP, PRESIDENT SEAML

Nayes (by name) NONE

Absent (by name) BARRINGTON

APPROVED THIS 20 DAY OF FEBRUARY, 2007

Sidney R. Stahl, Village President

ATTEST:

Milton Rasmussen
Milton Rasmussen, Village Clerk

