

# Town of Milltown

Polk County, Wisconsin  
2272 155th Street, P.O. Box 100  
Milltown, Wisconsin 54858-0100  
Phone 1-715-825-2494  
Fax 1-715-825-4416



## UPDATED OUTDOOR BURNING ORDINANCE FOR THE TOWN OF MILLTOWN

### ORDINANCE 17-01

#### 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 Milltown due to air pollution and fire hazards of open burning, outdoor burning and refuse burning.

#### SECTION 2: AUTHORITY

Wisconsin Statute 26.13(3) authorizes the town board of any town located outside of a fire protection district to control the setting of fires in the said town.

#### SECTION 3: GENERAL PROHIBITION ON OPEN BURNING, OUTDOOR BURNING AND REFUSE BURNING

No person shall set any fire upon any land in the Town without a written permit, except for a recreational fire consisting of clean wood for warming the person or cooking food, burning barrels as referenced in Section 7(4) of this ordinance and wood boiler/furnaces.

#### SECTION 4: RECREATIONAL FIRES

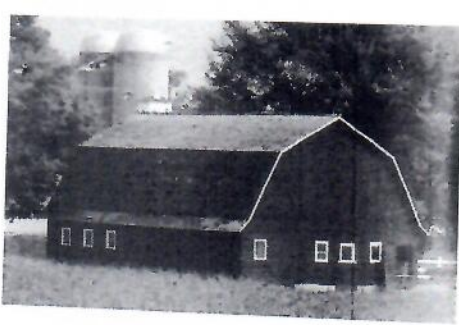
Recreational fires are only intended for warming the person or cooking food. Only clean wood can be burned and a recreational fire must be no larger than five (5) feet in width and enclosed by a stone or metal border at least six (6) inches in height or recessed into the ground.

#### SECTION 5: PERMITS

Permits are required for all fires except for recreational fires, burning barrels and outdoor wood boiler/furnaces. Permits shall be obtained from a person or persons designated by the Town Board. When weather condition warrant, the Town Chair, Department of Natural Resources or Milltown Fire Department may declare a burning moratorium on all open burning and temporarily suspend previously issued burning permits for open burning.

#### SECTION 6: REQUIREMENTS

- 1) Before setting any fire except a recreational fire, a burning permit shall be obtained from a person or persons designated by the Town Board.



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## SECTION 7: RESTRICTIONS

- 1) No fire shall be set when winds are above 10 mph with the exception of outdoor boilers/furnaces.
- 2) No burning in municipal dumps and landfills by unauthorized person or persons.
- 3) Burning barrels are not permitted in residentially and commercially zoned districts nor in recorded subdivisions. Burning barrels are permitted in other areas of the Town if properly screened and in compliance with this ordinance and Wisconsin Department of Natural Resources regulations.
- 4) Outdoor wood boilers/furnaces are required to have a spark screen.

## SECTION 8: LIABILITY

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

## SECTION 9: ENFORCEMENT AND PENALTIES


The Milltown Fire Department will be authorized to enforce this ordinance and assess forfeitures as follows:


First offense:	Warning letter
Second offense	\$50 civil forfeiture
Subsequent offenses	\$200 civil forfeiture per offense

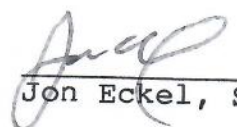
## SECTION 10: EFFECTIVE DATE

This ordinance shall take effect from and after its passage and legal publication. This ordinance rescinds all previous burning ordinances/resolutions.

Adopted this 8 day of May, 2017.

  
\_\_\_\_\_  
Harlan Hegdal, Chair.

  
\_\_\_\_\_  
Christopher Nelson, Super.

  
\_\_\_\_\_  
Jon Eckel, Super.

ATTEST;   
\_\_\_\_\_  
Virgil Hansen, Town Clerk