

Lemont Fire Protection District

Open Burning Regulations

July 6, 2012

The following information outlines the laws pertaining to open burning throughout all areas of the Fire District

CITY OF DARIEN:

Open burning is prohibited. However, logs, non-treated wood, or wood products may be burned in either an indoor or outdoor fireplace (a structure which partially encloses a fire to contain its size), and of course charcoal may be burned in charcoal grills

VILLAGE OF LEMONT:

It is unlawful to build or light any bonfire, or to burn any rubbish, leaves or other combustible refuse anywhere in the village except in a properly constructed incinerator or fireplace.

VILLAGE OF PALOS PARK:

OPEN BURNING.

(a) **Prohibited Burning.** No person shall burn, in open fires, on his or her property or in a street contiguous to such property, materials which emit heavy, dense or noxious smoke or fumes. Such materials include, but are not limited to, garbage; rubber products, including tires; tar paper and similar roofing materials; petroleum oils; wet leaves; wet grass clippings; and wet weeds.

(b) **Prohibited Burning of Leaves/Landscape Waste.** It shall be unlawful to burn leaves and rakeable landscape waste within the boundaries of the Village.

(c) **Outdoor Fireplaces and Fire Pits.** It shall be unlawful to burn logs, tree branches, artificial logs or any other wood or wood product (hereinafter referred to in this section as the "wood items") in an outdoor fireplace or fire pit which has a burning area with a diameter of in excess of four feet. In addition, it shall be unlawful for any wood items, when being burned in an outdoor fireplace or fire pit, to exceed twenty-four inches in height, as measured from the bottom of the pile of said wood items to the top of the pile of said wood items.

CAMPFIRES.

Permission is hereby granted to religious, charitable, civic and educational organizations to have campfires as part of their youth activities under the following conditions:

(a) The area for the campfire shall not be within 100 feet of any building or other structure or roadway;

(b) Responsible adult supervision shall be present throughout the period that the campfire is burning, and the adult shall be responsible to see that the campfire is completely extinguished upon completion of the activity;

(c) The campfire shall be in a controlled and vacant area, free of brush, timber or other combustible material;

(d) The smoke emanating from a campfire shall not drift across streets, highways or residential areas, causing an impairment of vision for pedestrian or vehicular traffic; and

(e) All campfires shall be in accordance with the applicable laws and regulations of the County and the Illinois Environmental Protection Agency, and the Palos Fire Protection District shall be notified prior to starting any campfires.

VILLAGE OF WOODRIDGE:

DEFINITIONS:

Terms used in this chapter shall have the following meanings:

APPROVED CONTAINER: A commercially manufactured device specifically designed, intended, advertised, and utilized for the purpose of recreational campfires, such as chimeneas and outdoor fireplaces. Such container must be located aboveground and in no event shall be built into the ground or located below grade.

APPROVED WOOD: Seasoned dry firewood of dimensions appropriate to safely fit within the container. In particular, but without limitations, approved wood shall not include any green or fresh vegetation materials; nor shall it include any leaves, grass, bushes, roots or other similar materials, nor shall it include any construction materials, such as treated woods, plywood or pressure treated wood, or any other materials which produce excessive smoke, cinders or other emissions characteristic of nonseasoned wood.

BONFIRE: A safely conducted and controlled outdoor fire utilized for ceremonial

purposes.

RECREATIONAL CAMPFIRE: A safely conducted and controlled outdoor fire utilized for comfort or relaxation. (Ord. 2011-45, 9-8-2011)

4-6-2: Open Burning Prohibited

It shall be unlawful to burn or cause the burning at any location within the village of any paper, cardboard, leaves, twigs, branches, wood, grass, grass clippings, refuse from farming or gardening, or other refuse or other combustible materials of any nature whatsoever, except as hereinafter permitted in section 4-6-3 of this chapter.

4-6-3: PERMITTED EXCEPTIONS:

Notwithstanding the prohibitions set forth in section 4-6-2 of this chapter, the following burning is expressly permitted:

- A. Burning any combustible materials wholly within a building in a fireplace or other equipment or facility designed and constructed for such purpose; provided, that any refuse burning incinerator installed in any residence building shall comply with the rules and regulations of the Illinois pollution control board as the same may from time to time be in effect.
- B. Burning charcoal briquettes, natural gas, propane, approved wood, or commercially prepared seasoned wood chips in conjunction with any of the foregoing for cooking purposes, provided, however that the following restriction, shall apply to multi-family buildings (excluding townhomes):
 - 1. Charcoal burners and other uncovered open flame cooking devices shall not be operated;
 - 2. Burning of charcoal briquettes, approved wood or commercially prepared seasoned wood chips shall not be allowed.
- C. Burning combustible materials in a high temperature incinerator providing complete combustion and complying with the rules and regulations of the Illinois pollution control board as the same may from time to time be in effect.
- D. Burning approved wood, in an outdoor bonfire at a gathering conducted by religious, educational or other not for profit organization; provided, that a permit therefor is previously issued by the fire code official and that such bonfire is attended by adult supervision and adequate safety equipment as approved by the fire code official.

E. Burning any combustible material other than those listed in the first paragraph herein for recognized silvicultural or range or wildlife management practices or prevention or control of disease or pests; provided:

1. That the fire code official shall find that the burning thereof will not constitute a danger to the health, safety and welfare of the citizens and residents of the village or of other communities surrounding the village, or constitute a danger of air pollution in any other respect;
2. That the fire code official shall issue a permit therefor; and
3. That any such burning shall be attended by adequate personnel and safety equipment as approved by the fire code official.

F. Burning approved wood in an approved container for recreational campfires, in a safe and controlled manner, provided that:

1. Such fire shall be under the control of and attended at all times by a person eighteen (18) years of age or older;
2. A portable fire extinguisher having a minimum rating of 4-A or other approved extinguishing agent such as sand, dirt or water in sufficient quantity shall be available for immediate use;
3. Such fire shall at all times be safely managed and shall not be permitted to create excessive flames, flying cinders or smoke;
4. Such fire shall be located in an area separated from any structure by not less than fifteen feet (15');
5. Such fire shall not be used in such a manner as to emit offensive or objectional smoke or odors or when other circumstances make such fires hazardous; and
6. At no time shall such fire be utilized for waste disposal purposes.

COOK COUNTY:

6.11-1 Prohibitions

(a) No person shall cause or allow open burning except as provided in Sections 6.11-2, 6.11-3, and 6.11-4.

(b) No person shall cause or allow the burning of any refuse in any chamber or apparatus, unless such chamber or apparatus is designed for the purpose of disposing of the class of refuse being burned.

6.11-2 Exemptions

The following activities are not in violation of Section 6.11 unless they cause atmospheric pollution as defined in this Ordinance. Nothing in this Section shall exempt such activities from applicable local restrictions.

(a) The open burning of agricultural waste, but only:

- (1) on the premises on which such waste is generated; and
- (2) in areas other than restricted areas; and
- (3) when atmospheric conditions will readily dissipate contaminants; and
- (4) if such burning does not create a visibility hazard on roadways, railroad tracks, or air fields; and
- (5) more than 1,000 feet from residential or other populated areas, schools, hospitals, or nursing homes; and
- (6) when it can be affirmatively demonstrated to the Department that no economically reasonable alternative method of disposal is available.

(b) The open burning of domicile waste, but only:

- (1) on the premises on which such waste is generated; and,
- (2) in areas other than restricted areas; and
- (3) when atmospheric conditions will readily dissipate contaminants; and
- (4) if such burning does not create a visibility hazard on roadways, railroad tracks, or airfields; and
- (5) approved by Cook County.

(c) The open burning of landscape waste, but only:

- (1) on the premises on which such waste is generated; and
- (2) when atmospheric conditions will readily dissipate contaminants; and
- (3) if such burning does not create a visibility hazard on roadways, railroad tracks, or airfields; and
- (4) in those areas of the County of Cook which are not in the following prohibited areas:
 - (i) municipalities in which open burning is prohibited.
 - (ii) unincorporated areas 1,000 feet or less from a municipality in which open burning of landscape waste is prohibited; and
- (5) approved by Cook County.

(d) The setting of fires to combat or limit existing fires, when reasonably necessary in the judgment of the Department.

(e) The burning of fuels for legitimate campfire, recreational, and cooking purposes, or in domestic fireplaces, in areas where such burning is consistent with other laws, provided that garbage shall not be burned in such cases.

(f) Small open flames for heating tar, for welding, acetylene torches, highway safety flares, and the like.

6.11-3 Permits

(a) contact Cook County.

DUPAGE COUNTY:

(A) It shall be unlawful for any person to cause or allow any open and uncontrolled burning of landscape wastes at any site in unincorporated DuPage County.

(B) It shall be unlawful for any person to cause or allow the burning of any refuse including landscape waste in any chamber not specifically designed for the purpose and approved by the Illinois Environmental Protection Agency pursuant to regulations adopted by the Illinois Pollution Control Board or specified by this Ordinance.

EXCEPTIONS

Burning for habitat management, fire protection management practices (both require a permit from the Illinois EPA) and one-time bonfires for institutional special events are allowed in unincorporated areas of DuPage County. Contact your fire department for any local requirements. Occasional recreational fires such as barbecues, campfires and fire pits when used for food preparation purposes are allowed in unincorporated DuPage County. The only item that may be used for this type of fire is clean dry firewood. Wood burned in these instances may be considered fuel if it is being used for the purpose of creating energy, rather than for providing a means by which to discard the landscape waste. The burning of leaves, shrubbery, grass, and construction wood is never allowed.

WILL COUNTY:

§ 93.022 PERMIT REQUIRED.

Waste materials of any nature shall not be disposed of by burning on the premises or in the immediate vicinity without having obtained a permit from the state or the State E.P.A.

§ 93.023 LOCATION OF FIRES.

(A) Fires shall be located not less than 50 feet, unless otherwise specifically provided for herein, from any neighboring structure, with adequate provision made to prevent spreading of the fire. Legitimate recreation fires shall be located not less than 50 feet from any neighboring structure.

(B) Burning in right-of-way is strictly prohibited.

(C) Fires contained in a “patio wood-burning unit”, being a chimnea, patio warmer or other portable wood burning device used for outdoor recreation and/or heating shall be at least 15 feet from any neighboring structure.

§ 93.024 RECREATION FIRES.

Recreation fires, being fires used to entertain or cook, may burn sticks, limbs, logs, charcoal, cooking or camping fuel only. Recreation fires may not exceed an area dimension of six feet by six feet. In conformance with § 93.022 above, waste materials, including, but not limited to garbage, trash, refuse, lumber, building materials or tires shall not be burned in recreation fires.

§ 93.025 FIRES TO BE ATTENDED.

All fires shall be constantly attended by a competent person until the fire is extinguished. This person shall have a hose connected to a water supply or other fire extinguishing equipment ready for use. This person shall be responsible for notifying the local Fire Department before starting the fire.

§ 93.026 EXCEPTIONS.

(A) Section 93.022 does not apply to the burning of dry leaves, branches or bushes originating on owner’s property.

(B) Section 93.022 also does not apply to controlled burns for agricultural purposes, habitat reclamation or firefighter training.

§ 93.027 NEIGHBORING STRUCTURE.

Neighboring structure means any and all buildings of adjacent land owner(s), whether structured on a foundation or mobile, including but not limited to houses, garages, sheds, pole barns.

§ 93.028 WASTE MATERIAL.

Waste material means all substances liquid, semi-solid or solid other than leaves, sticks, logs, branches and bushes originating on the owner’s property, charcoal and cooking or camping fuel.

LEMONT TOWNSHIP:

Same as Cook County regulations