

**Town of Somerset
Ordinance 2006-04
Burning Regulations (Outdoors)**

- I. **Purpose-Permit Required:** Every person, pursuant to WSS s. 60.555 and other provisions as they may apply and this ordinance in the Town of Somerset shall seek and obtain a fire safety permit from the Town of Somerset, unless exempted by this ordinance, for any outdoor fire to be ignited in the Town of Somerset. All requirements of this ordinance are for protecting and promoting the health, safety and welfare of the residents of the town.

- II. **Application Process:** The application and permit shall designate a single area subject to the burning permit, and the permit shall be issued only for the designated single property. Any permit issued under this chapter is neither transferable nor assignable, either as to person or as to location. No person shall be issued a burning permit in the Town of Somerset who has failed to properly and fully complete and submit to the Fire Chief(s) or persons designated by the Fire Chief(s) of the Town of Somerset. The application shall include but not be limited to:
 - A. The name of the applicant.
 - B. The address of the applicant.
 - C. The telephone number of the applicant.
 - D. The actual location of the proposed burning area. A separate permit is required for each different burn location.

- III. **Exemptions:** The following are exempt from this permit requirement:
 - A. Persons who burn materials in a stove, furnace or incinerator inside a building.
 - B. Persons who burn charcoal or other combustible materials for domestic cooking outdoors at their residence or who burn charcoal or other combustible materials for domestic cooking outdoors in public parks. This exemption does not apply upon a declared public fire emergency by the State Department of Natural Resources.
 - C. In an emergency, fires used to warm the person or to cook food.
 - D. Fires set by the Fire Department for training purposes.

- IV. **Issuance of Permit:** A permit shall be issued for the permitted use. The permit shall be issued by the Fire Chief(s) or persons designated by the Fire Chief(s) for the Town of Somerset prior to any person igniting a fire in the Town of Somerset. In addition to receiving the permit, the permit holder must follow the procedures as outlined in Section V each time he/she wishes to ignite a fire. There are no daily permits issued. Each resident wishing to burn within the town must obtain a permit.

- V. **Notice of Intent to Burn:** On the day the permit holder wishes to burn, the permit holder must call the St. Croix County Communication Center at 386-4701 or 246-6131. The permit holder will be asked his/her name, the location of the burn and phone number. The permit holder may then burn. The permit holder must use this procedure each day the permit holder wishes to burn. The permit holder must not leaves fires burning unattended. If there is a burning ban set by the Fire Chief(s) at

the time the permit holder calls, the St. Croix County Communications Center will advise that burning will not be allowed until the ban is lifted.

- VI. Revocation of Permit:** The Town Board or the Fire Chief(s) of the Town of Somerset may revoke a burning permit, and no person shall be issued or reissued a burning permit in the Town of Somerset if the applicant or permittee:
- A. Fails to establish adequate fire protection and fire prevention activities at the requested or permitted burning location when established by the Town of Somerset as a condition of the permit.
 - B. Fails to install or maintain adequate fire safety equipment during the requested or permitted use when established by the Town of Somerset as a condition to the permit.
 - C. Fails to prevent burning activities that are not authorized by the permit of the Town of Somerset at the requested or permitted burn location.
 - D. Fails to prevent at or near the requested or permitted burning location any burning activities larger than three feet in diameter within fifteen feet of any fence or property line.
 - E. Fails to allow physical access to the requested or permitted burning area location by the Fire Chief or designee for inspection purposes upon prior notice.
- VII. General Restrictions:**
- A. The Town of Somerset prohibits any person from the igniting of any fires outdoors in the Town of Somerset upon days declared emergency fire days by the Fire Department or the State Department of Natural Resources.
 - B. The Town of Somerset prohibits any person from igniting any fires indoors in the Town of Somerset, except in a stove, furnace or incinerator.
 - C. A permittee shall report to emergency services any fire in the Town of Somerset where the fire is out of control.
 - D. The permit holder is responsible for the fires at all times.
 - E. The permit holder may ignite and maintain only one fire at a time.
- VIII. Violations, Penalties, Fees:**
- A. Any person violating any or the provisions of this ordinance or knowingly aiding or abetting another in the violation thereof, shall upon conviction, pay a forfeiture as set by the Town Board of not less than \$25.00 nor more than \$500.00 per incident and the costs and attorney fees in prosecution, which each day the violation of this ordinance constituting a separate offense.
 - B. If a member of the Fire department finds a resident burning without a permit, the resident will be required to extinguish the fire until a permit has been obtained following the procedures as outlined in Section II Application Process.
 - C. If the Fire Department is called to any fire, the resident may be charged for the cost of the fire call, as determined by the Fire Chief(s).
 - D. Fees. There shall be no fee for the permit.

Adopted this _____ day of _____, 2006.

_____, Ed Schachtner, Town Chairman

_____, Douglas Plourde, Town Supervisor

_____, Shane Demulling, Town Supervisor

_____, Denise Gunderson, Town Supervisor

_____, Lenny Germain, Town Supervisor

Attest: _____, Jeri Koester, Town Clerk/Treasurer