

TOWN OF NEW HOLSTEIN  
CALUMET COUNTY, WISCONSIN

ORDINANCE NO. 2002- 1

**AN ORDINANCE REGULATING OPEN BURNING**

The Town Board of the Town of New Holstein, Calumet County, Wisconsin, pursuant to its police powers and for the purpose of insuring the health and safety of its residents, and in order to mitigate the cost of unnecessary emergency response and unnecessary utilization of equipment and human resources involved in emergency response, do ordain as follows:

**SECTION 1. OPEN OUTDOOR BURNING.** Except as provided in Section 2, no person shall build or cause to be built any outdoor fire (herein "open outdoor burning") within the Town of New Holstein without first providing oral notice to the Calumet County Sheriff's Department through the non-emergency number. For informational purposes, the current non-emergency number is (920) 849-2335.

**SECTION 2. EXCEPTIONS.** The requirements of Section 1 do not apply in the following situations:

- A. Use of a burning barrel or other wire, basket, or metal enclosure with a cover.
- B. Outdoor cooking over a fire contained in a device or structure designed for such use.
- C. Bonfires, provided the size of the fire ring shall not exceed 36 inches in diameter and the height of the burning materials shall not exceed 24 inches at any time.

**SECTION 3. OPEN OUTDOOR BURNING REGULATIONS.** The following regulations shall be applicable to all open outdoor burning:

A. All open outdoor burning shall be performed in a safe, pollution-free manner when wind and weather conditions are such as to minimize adverse effects and in conformance with all local and state fire protection regulations.

B. Open outdoor burning shall be constantly attended and supervised by a competent person of at least 16 years of age until such fire is extinguished. The person tending the fire shall have readily available for use such fire extinguishing equipment as may be necessary for the total control of the fire while burning and/or extinguishing such fire.

C. Open outdoor burning shall take place only during daylight hours.

**SECTION 4. PENALTY.** Any person who fails to comply with the terms of this ordinance shall be liable for all costs and expenses incurred by or charged to the Town of New Holstein by any fire department or other emergency response entity responding to the open outdoor burning.

**SECTION 5. SEVERABILITY.** The terms of this ordinance are severable. If any portion hereof is found to be unenforceable by any court of competent jurisdiction, the remaining provisions hereof shall continue to be in full force and effect.

Adopted this 13<sup>th</sup> day of March, 2002.

ATTEST:

TOWN OF NEW HOLSTEIN TOWN BOARD

By: Marlene Thede  
Marlene Thede, Clerk

By: George L Engel  
George Engel, Chairperson