

**AN ORDINANCE CREATING CHAPTER 34
HEALTH AND SANITATION**

ARTICLE IV

OPEN FIRES

ORDINANCE NO.: 110909B

THE VILLAGE OF ASHTON

COUNTY OF LEE

STATE OF ILLINOIS

DATED THIS 9th DAY OF NOVEMBER, 2009

VILLAGE OF ASHTON, STATE OF ILLINOIS

ORDINANCE NUMBER 110909B

AN ORDINANCE CREATING CHAPTER 34
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ADOPTED BY THE VILLAGE BOARD
OF THE VILLAGE OF ASHTON, ILLINOIS

DATED THIS 9th DAY OF NOVEMBER, 2009

Published in pamphlet form by authority of the Village Board of the Village of Ashton, Lee County, Illinois, this 9th day of November, 2009.

STATE OF ILLINOIS)
) SS.
COUNTY OF LEE)


CERTIFICATE

I, SHARON VAN DAM, certify that I am duly elected and acting municipal clerk of the Village of Ashton, Lee County, Illinois.

I further certify that on November 2, 2009, the Corporate Authorities of such municipality passed and approved an Ordinance creating Chapter 34 Health and Sanitation, relating to Open Fires within the Village of Ashton, which provided by its terms that it should be published in pamphlet form.

The pamphlet form of the Ordinance, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on December 8, 2008, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at Ashton, Illinois this 9th day of November, 2009



SHARON VAN DAM, Municipal Clerk

ORDINANCE NUMBER 110909B

AN ORDINANCE CREATING CHAPTER 34
HEALTH AND SANITATION

ARTICLE IV
OPEN FIRES

WHEREAS, the Village Board of Trustees of the Village of Ashton, Lee County, Illinois, have determined that it is in the best interest of the Village to create Article IV, OPEN FIRES to Chapter 34 HEALTH AND SANITATION;

NOW THEREFORE, BE IT ORDAINED, by the Village of Ashton, as follows:

Chapter 34

HEALTH AND SANITATION

A. Article IV. OPEN FIRES.

- a) **Section 34-62. Prohibited.** It is unlawful for any person to burn paper or other combustible refuse, waste, rubbish, garbage, yard waste, or any other material except wood in any open fire or burn barrel.
- b) **Section 34-63. Exception.** Leaves may be burned under the following rules and regulations:
 1. Leaves may be burned only between March 1 and April 30 and between September 15 and December 15, and only between the hours of 9:00 a.m. and 6:00 p.m.
 2. Leaves may not be burned on the hard surface or asphalt portion of any street, curb, sidewalk, gutter, or alley.
 3. Leaf fires authorized herein shall be supervised by an adult (18 years of age or older) at all

times until **completely** extinguished including any embers.

4. Leaf fires shall not be such by size, location or otherwise that creates or poses a threat to the safety of persons or property.

c) **Section 34-65. Abatement.** The Village Police Department is authorized to prohibit, stop, cause or order any fire be extinguished if unlawful under this Article and if lawful under this Article (leaf fires or recreational fires) if it determines that due to the size, location, wind or atmospheric conditions, it poses a threat to the safety of persons or property.

d) **Section 34-64. Recreational fires.**

1) Recreational fires utilizing wood are not prohibited so long as they are supervised by an adult (18 years of age or older) and contained in a fire safe vessel or pit, not exceeding thirty-six (36") inches in diameter.

e) **Nuisances.** Nothing herein shall be construed to authorize a fire which would create an emission in violation of Article II Nuisances, Section 34 - 31 (5).

EXCEPTION. Nothing herein shall restrict or prohibit Village employees from open fires for Village purposes.

Passed this 9th day of November, 2009

 6 Ayes

 0 Nays

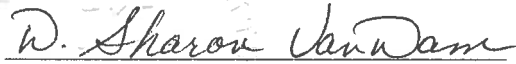
 0 Absent

Approved:



JOHN MARTINEZ,
Village President

Attested to:



SHARON VAN DAM
Village Clerk

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ASHTON2009