

## CHAPTER 6

### BURNING

#### SECTION:

- 6-6-1: Village Exemption
- 6-6-2: Definitions
- 6-6-3: Prohibitions
- 6-6-4: Prohibition of Landscape Waste Burning
- 6-6-5: Penalty for Violation

**6-6-1: VILLAGE EXEMPTION:** The Village of Arthur and their employees while performing village activities shall be exempt from the provisions of this Chapter.

**6-6-2: DEFINITIONS:** Where used in this Ordinance, the following words and phrases shall have the meanings set out in this Section:

- (A) "Garbage" is waste resulting from the handling, processing, preparation, cooking and consumption of food or food products.
- (B) "Household Waste" is any solid waste (except garbage but including sanitary waste in septic tanks) derived from households (including single and multiple residences, hotels and motels, bunkhouses, camp grounds, picnic areas and day-use recreation areas).
- (C) "Landscape Waste" is all accumulation of grass or shrubbery cuttings, leaves, tree limbs and other materials accumulated as the result of the care of lawns, shrubbery, vines and trees.
- (D) "Municipal Waste" is commercial waste, industrial, lunchroom or office waste and construction or demolition debris.
- (E) "Open Burning" is the combustion of any matter in such a way that the products of the combustion are emitted to the open air without originating in or passing through equipment for which a permit could be issued under the Illinois Environmental Protection Act.

- (F) "Person" is any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, state agency or any other legal entity or their legal representative, agent, or assigns.
- (G) "Bonfire" is an unenclosed celebratory or food preparation fire, on private property only, which contains no garbage or items which would violate Federal and State EPA regulations, and is substantially a wood product fire used to prepare for food preparation or as part of a celebration.

**6-6-3: PROHIBITIONS:** No person shall cause or allow the open burning of garbage, household waste or municipal waste within the Village, pursuant to Illinois EPA Regulations. No person shall cause or allow the open burning of landscape waste within the Village except as hereinafter provided.

**6-6-4: PROHIBITION OF LANDSCAPE WASTE BURNING:**  
The burning of landscape waste is prohibited within the Village of Arthur or any territories under its authority pursuant to law.

**6-6-5: PENALTY FOR VIOLATION:** Any person who violates any of the provisions of this ordinance shall, upon conviction thereof, be fined not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) for each and every offense. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues. In addition to such fine, all Court costs and reasonable attorney's fees incurred by the Village in prosecuting the case shall be recoverable from anyone convicted of a violation of this ordinance. In addition to such fine and additional costs as stated above, any person who violates any of the provisions of this ordinance resulting in the need for emergency services to extinguish the fire or otherwise respond to the violation shall be responsible for the cost of such services.

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All previous ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

If any part of this ordinance shall be held void, such part shall be deemed severable and the invalidity of this shall not affect the remaining parts of this ordinance.

This ordinance shall not apply to wood, charcoal, gas operated grills and small wood bonfires.