

**ORDINANCE AMENDING BUILDING CODE REGULATIONS
CODIFIED IN SECTION 4-2-3 OF THE VILLAGE CODE
REGARDING OPEN BURNING IN THE VILLAGE**

WHEREAS, the Village of Barrington Hills (hereinafter the "Village") is a duly organized and existing Illinois home rule municipality pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*; and

WHEREAS, the Village is authorized and empowered, under the Municipal Code and the Code of Ordinances of the Village of Barrington Hills, to adopt regulations applicable to buildings and properties and health and sanitation within the Village; and

WHEREAS, in conformity with this authorization, the Village has previously adopted regulations set forth in the International Fire Code, specifically pertinent to open burning within the Village, and has codified those regulations in Section 4-2-3 B. 4. Open Burning; and

WHEREAS, Village Staff has recently reviewed the Village's open burning regulations and has determined that these regulations are in need of certain amendments and are more appropriately placed with the Village's health and sanitation regulations set forth in Title 7 of the Village Code; and

WHEREAS, the Village President and Board of Trustees have reviewed the amendments recommended as fully set forth in Exhibit A and based on the recommendations, deem it prudent and necessary to adopt the amendments.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Barrington Hills, Cook, Kane, Lake and McHenry Counties, Illinois, as a home rule municipality, the following:

SECTION ONE: That the forgoing recitals are hereby incorporated by reference as if fully set forth herein.

SECTION TWO: That the open burning regulations codified as Title 4, Chapter 2, Section 4-2-3 B. 4. be deleted in their entirety and that Section 4-2-3 B. 4 be reserved for future use.

SECTION THREE: That the Village's open burning regulations be provided in Title 7, Chapter 6 of the Village Code as set forth in Exhibit A incorporated by reference herein.

SECTION FOUR: That all other ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance, are, to the extent of such conflict, expressly repealed.

SECTION FIVE: That this Ordinance shall be in full force and effect after its passage, approval, and publication in pamphlet form as provided by law.

Ayes: 5 Nays: 2 Absent: 0


PASSED AND APPROVED by the President and Board of Trustees of the Village of Barrington Hills, this 21st day of July, 2020.

APPROVED:



Village President

ATTEST:



Village Clerk

EXHIBIT A

Title 7, Chapter 6

OPEN BURNING

7-6-1: DEFINITIONS: The following words and terms shall, for the purposes of this chapter, have the meanings set forth herein.

LANDSCAPE BURN: The open burning of accumulated landscape waste.

LANDSCAPE WASTE: All accumulations of excess landscape materials including leaves, branches and similar materials.

OPEN BURNING: The burning of material permitted by this code in an outdoor fire wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber.

PRESCRIBED BURN: The planned application of fire to naturally occurring vegetative fuels under specified environmental conditions and following appropriate precautionary measures, which causes the fire to be confined to a predetermined area and accomplish the planned land management or ecological objectives.

PROCESSED WOOD: Natural wood to which is added glue and other adhesives, paint, polyurethane, stain, varnish and/or other such materials, or which is treated with chemicals or other substances to change the character of the wood. Processed wood includes, but is not limited to, furniture, particleboard, plywood and pressure-treated lumber and wood materials.

RECREATIONAL FIRE (BONFIRE): An outdoor fire burning materials other than refuse or landscape waste where the fuel being burned is not contained in an incinerator, outdoor fireplace, portable outdoor fireplace, or similar device.

REFUSE: Unwanted waste substances and matter, excluding landscape waste and unprocessed, untreated or unpainted wood/lumber, intended for disposal.

RESTORATION-WORKDAY BURN: The burning of collected woody invasive debris managed by conservation staff or professional consultants with field experience and certified as having completed the Chicago Wilderness "Midwest Ecological Prescription Burn Crew Member Training" course.

7-6-2: NOTIFICATION AND PERMIT REQUIREMENTS:

(A) Recreational and Landscape Burns: Recreational and landscape burns may be conducted without prior notification to the Village or a permit.

(B) Prescribed Burns: Prescribed burns may be conducted subject to the following:

1. Illinois Environmental Protection Agency (EPA) permit is required.
2. Written notification to the Police Department is required and shall occur at least one week in advance. Notification shall contain burn plan information including, at a minimum, the purpose of the proposed burning, the nature and quantities of material to be burned, the date and time when such burning shall take place, the location of the burning site, and the person who shall supervise the burning and their contact information.

3. Written notification and approval of the applicable fire protection district no less than one week in advance.
4. Notification to adjacent property owners and those that could be potentially impacted by the burn at least one week in advance.
5. Telephone notification to the Police Department Dispatch Center (QuadCom) the day of the burn, prior to ignition.

(C) Restoration-Workday Burns: Restoration-Workday burns may be conducted subject to the following:

1. Written notification to the Police Department is required and shall occur at least one week in advance. Notification shall contain burn plan information including, at a minimum, the purpose of the proposed burning, the nature and quantities of material to be burned, the date and time when such burning shall take place, the location of the burning site, and the person who shall supervise the burning and their contact information.
2. Written notification and approval of the applicable fire protection district no less than one week in advance.
3. Notification to adjacent property owners and those that could be potentially impacted by the burn at least one week in advance.
4. Telephone notification to the Police Department Dispatch Center (QuadCom) the day of the burn, prior to ignition.

7-6-3: PROHIBITIONS:

No person shall cause or allow open burning inconsistent with the following provisions:

- (A) Open burning shall not be utilized for refuse disposal purposes.
- (B) Open burning which creates or adds to a hazardous or objectionable situation is prohibited and a member of the Police Department shall order any such burn extinguished by the property owner, attending adult or the fire department.
- (C) It shall be unlawful to cause or permit open burning in a manner which clouds of sparks, embers or similar airborne enflamed particulates leave the property on which the burn has been started or to endanger persons or property.
- (D) Open burning shall be prohibited when the wind is in excess of 15 miles per hour based on the wind speed reported for the area by the Weather Channel.

7-6-4: RESTRICTIONS:

Open Burning shall be subject to the following restrictions:

- A. LOCATION: The location for any open burning shall not be less than 100 feet from any structure and provisions shall be made to prevent the fire from spreading to within 100 feet of any structure. Only one (1) open burn on any property shall occur at any one time.

B. ATTENDANCE: Any open burn shall be constantly attended by an individual at least 18 years of age until the fire is completely extinguished. A garden hose attached to a water barrel, water truck or other source of water supply or other extinguishing method shall be available for immediate utilization.

C. SIZE: No open burn shall be more than 10 feet by 10 feet by 10 feet in dimension.

D. DURATION AND TIMES: No open burn shall burn in excess of six (6) hours in any calendar day. Landscape burns shall be limited to the hours of 8:00 AM to 9:00 PM.

E. MATERIAL: Fuel for any open burn shall consist only of seasoned dry firewood, landscape waste, untreated, unpainted or unprocessed wood/lumber which is produced or obtained for use on the premises where the materials are burned.

EXEMPTIONS: The restrictions set forth herein on open burning shall not apply to prescribed or restoration-workday burns associated with ecologic restoration or natural landscape management.

7-6-5: ENFORCEMENT

The Village Police Department shall be primarily responsible for the enforcement of this chapter.