

CITY OF BELVIDERE, ILLINOIS

ORDINANCE #648H

AN ORDINANCE AMENDING SECTION 74-215 OF THE CITY OF BELVIDERE MUNICIPAL CODE RELATING TO
OUTDOOR BURNING

PASSED AND ADOPTED

BY THE CITY COUNCIL

OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 16TH DAY OF OCTOBER 2023.

APPROVED BY THE

MAYOR OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 17TH DAY OF OCTOBER, 2023.

Published in Pamphlet Form this 17th day of October 2023.

ORDINANCE #648H
AN ORDINANCE AMENDING SECTION 74-215
OF THE CITY OF BELVIDERE MUNICIPAL CODE
RELATING TO OUTDOOR BURNING

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Belvidere as follows:

SECTION 1: Section 74-215 of the City of Belvidere Municipal Code is amended to read as set forth in the attached Exhibit A which is incorporated herein by this reference.

SECTION 2: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

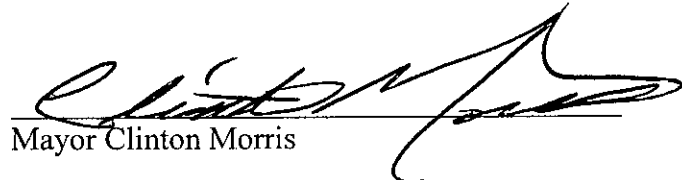
SECTION 4: This Ordinance shall be in full force and effect from and after its passage and publication in pamphlet form as required by law which publication is hereby authorized.

Voting Aye: Gramkowski, McGee, Mulhall, Snow, Albertini, Brereton, Fleury and Frank.

Voting Nay: None.

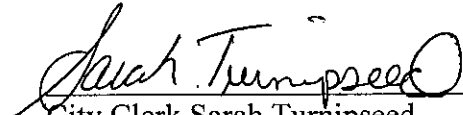
Absent: Freeman and Porter.

APPROVED:



Mayor Clinton Morris

ATTEST:



City Clerk Sarah Turnipseed

(SEAL)

Passed: October 16, 2023
Approved: October 17, 2023
Published: October 17, 2023

Sec. 74-215. Outdoor burning.

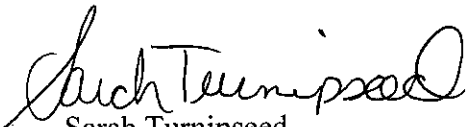
- (a) No person or entity shall cause, suffer, allow or permit outdoor burning of refuse, trade waste, salvage waste, agricultural waste, yard waste (e.g., weeds, leaves, grass and brush) or other combustible material except as specifically allowed herein.
- (b) Permitted outdoor burning. The following forms of outdoor burning are allowed within the city:
 - (1) Outdoor burning in connection with the preparation of food which is performed within a grill or enclosed stove or fireplace.
 - (2) The burning of wood, suitable for an indoor fireplace (and specifically excluding yard waste, leaves, weeds, grass, refuse and any other waste product), in a commercially available outdoor fire pit or fireplace (hereinafter fire pit) where the burning area of the fire pit is suspended above ground level, the width or diameter of the burning area of the fire pit is not more than 30 inches and where the fire pit includes a permanent or removable cover designed to limit the dispersal of embers or ash. When feasible, the cover shall be used when the fire pit is in use. A fire permitted under this subsection shall, at all times, be immediately attended by a person of at least 18 years of age. Such person shall be in immediate proximity of the fire and may not leave the direct vicinity. Entering or remaining within any structure shall be prima facie evidence that the fire is unattended.
 - (3) Bonfires solely for the purposes of ceremonial occasions provided such fires are not unattended and have approval of the fire chief or his appointed designee. A fire permitted under this subsection shall, at all times, be immediately attended by a person of at least 18 years of age. Such person shall be in immediate proximity of the fire and may not leave the direct vicinity. Entering or remaining within any structure shall be prima facie evidence that the fire is unattended.
 - (4) Fires set for purpose of training public or private firefighting personnel, with the approval of the fire chief or his appointed designee.
 - (5) Fires set or required by a public officer for the abatement of nuisances and which are necessary in carrying out public health functions, with the approval of the fire chief or his appointed designee.
 - (6) Fires set or required by a public officer for the control of grasses and weeds.
 - (7) The Fire Department is authorized to order the extinction, or to extinguish, any fire under this provision in the event the Fire Department finds that the fire violates this section or that it constitutes an immediate nuisance to surrounding properties. A fire shall constitute a nuisance if it creates bothersome smoke or dangerous flames or sparks.
- (c) When outdoor burning is permitted as set forth above, it shall be unlawful to build or light any fire so close to any building or other structure as to endanger the building or structure, or on any street, or sidewalk pavement. No outdoor burning shall occur within twenty-five feet (25') of any structure or within ten feet (10') of any lot line. An ABC type fire extinguisher, charged garden hose, or other method of fire control must be readily available
- (d) Penalties. Any person or entity who sets or tends any fire violating this section and any person who owns or leases the real property upon which a fire violating this section is set shall each be liable for such violation. Any person or entity violating this section shall be fined in accordance with section 1-9 of this Code.

AFFIDAVIT

STATE OF ILLINOIS)
)
COUNTY OF BOONE)

Sarah Turnipseed, first being duly sworn on oath deposes and says as follows:

By authority of the City Council of the City of Belvidere, Illinois, I published Ordinance #648H of the City of Belvidere, Illinois, in pamphlet form on October 17, 2023, and as a convenience for the public; I posted the pamphlet form of Ordinance #648H on the bulletin board in the lobby of Belvidere City Hall at 401 Whitney Blvd., Belvidere, Illinois; said location being readily accessible to the public during business hours of the City Clerk's office.


Sarah Turnipseed
City Clerk

SUBSCRIBED AND SWORN TO BEFORE ME
this 17th day of October, 2023.



Notary Public

