

Ordinance 89-3 - Amended 12-17-07

An Amendment to:

“An Ordinance Regulating Open Burning In The Town Of Vienna, 89-3”

WHEREAS, the Town Board of the Town of Vienna desires to amend Section (1), Agricultural Areas, Burning in, by including a definition of “Agricultural Areas” and adding a subsection on “materials that may not be burned”; and

WHEREAS, the Town of Vienna desires to protect the health, safety, and welfare of its residents by uniform enforcement of the town’s protective ordinances;

NOW, THEREFORE, The Town Board of the Town of Vienna does hereby ordain as follows:

Section (1) of “An Ordinance Regulating Open Burning In The Town Of Vienna, 89-3” shall be amended to include the following subsections:

- (a) The terms “Agricultural Areas” or “areas of the town zoned agricultural” shall mean “parcels of land which are in active agriculture uses and which qualify as agricultural uses under the conditions of the Wisconsin Agricultural Use Value Law.”
- (b) The term “combustible materials” shall exclude the following items or materials:

Materials that may not be burned: Unless a specific written approval has been obtained from the Department of Natural Resources, the following materials may not be burned in an open fire, incinerator, burn barrel, furnace, stove or any other indoor or outdoor incineration or heating device:

- (i) Rubbish or garbage including, but not limited to, food wastes, food wraps, packaging, animal carcasses, paint or painted materials, furniture, composite shingles, construction or demolition debris or other household or business wastes.
- (ii) Waste oil or other oily wastes except used oil burned in a heating device for energy recovery subject to the restrictions in Chapter NR 590, Wisconsin Administrative Code.
- (iii) Asphalt and products containing asphalt.
- (iv) Treated or painted wood including, but not limited to, plywood, composite wood products or other wood products that are painted, varnished, or treated with preservatives.
- (v) Any plastic material including, but not limited to, nylon, PVC, ABS, polystyrene or urethane foam, and synthetic fabrics, plastic films and plastic containers.

- (vi) Rubber including tires and synthetic rubber-like products.
- (vii) Newspaper, corrugated cardboard, container board, office paper and other materials that must be recycled in accordance with the recycling ordinance.

A new Section (5) shall be added to "An Ordinance Regulating Open Burning In The Town Of Vienna, 89-3" as follows:

(5) BURNING PERMIT OR FIRE DISTRICT NOTIFICATION:

A burning permit or fire district notification shall be required for all open burning in residential, industrial, and commercial areas of the Town of Vienna as per below:

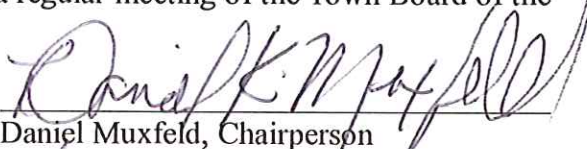
- (a) A written burning permit shall be obtained from the DeForest Fire District prior to the open burning for any property located within the DeForest Fire District area.
- (b) Written or verbal notification shall be given to the Waunakee or Dane Fire District prior to open burning for any property located within the Waunakee or Dane Fire District areas.

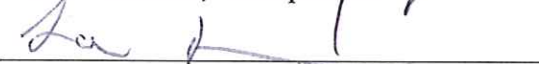
The remaining sections of "An Ordinance Regulating Open Burning In The Town Of Vienna, 89-3" shall be renumbered consecutively to accommodate the addition of the above new Section (5).

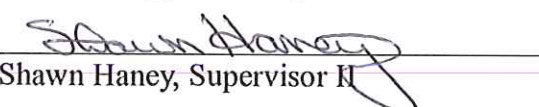
Effective Date:

This ordinance shall be effective after a public hearing, adoption by the Town of Board of the Town of Vienna, and publication.

The foregoing ordinance was duly adopted at a regular meeting of the Town Board of the Town of Vienna on December 17, 2007.

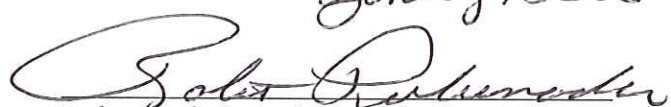

Daniel Muxfeld, Chairperson


Lonnie Breggeman, Supervisor I


Shawn Haney, Supervisor II

I hereby certify that the foregoing ordinance relating to the amendment of "An Ordinance Regulating Open Burning In The Town Of Vienna, 89-3" was published as a Class 1 notice under ch. 985, Wis. Stats., on the 17 day of December, 2007

Dated: January 8, 2008


Robert Pulvermacher, Clerk