

REVISED CODE OF ORDINANCES
OFFENSES
ARTICLE IX - OPEN BURNING
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27-9-1 **DEFINITIONS.** Unless the context otherwise requires the words and phrases herein defined are used in this Article in the sense given them in the following definitions:

AGRICULTURAL WASTE means any refuse, except garbage and dead animals, generated on a farm or ranch by crop and livestock production practices including such items as bags, cartons, dry bedding, structural materials, and crop residues but excluding landscape waste.

GARBAGE OR HOUSEHOLD TRASH means refuse resulting from the handling, processing, preparation, cooking and consumption of food or food products; including plastic containers.

LANDSCAPE WASTE means any vegetable or plant refuse, except garbage and agricultural waste. The term includes trees, tree trimmings, branches, stumps, brush, weeds, leaves, grass, shrubbery, and yard trimmings.

OPEN BURNING means 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 Section 9(b) of the Environmental Protection Act of the State of Illinois.

27-9-2 **BURNING PROHIBITED.** It shall be unlawful to cause or allow open burning of agricultural waste, household trash or garbage.

27-9-3 **RESTRICTIONS.** No person, firm, company, corporation, association, joint venture, partnership, trust, estate, or other legal entity shall burn any leaves, brush, grass, wood, tree limbs, rubbish, garbage, trash, or other combustible materials in the Village. Notwithstanding the provisions herein, this Article shall not be construed to prohibit the following:

- A. Wood fires in fireplaces, stoves, heaters, furnaces, and incinerators safely designed, constructed, and installed for such purposes and complying with all applicable laws, ordinances, regulations, and building codes.
- B. Outdoor wood fires (i.e., camp fires or bon-fires) for recreation or ceremonial purposes.
- C. Live-Fire-Related training as conducted by the Fire Department, if conducted by burning tree by-products on Village property south of the railroad tracks.
- D. Burning of debris or items as directed by the Public Works Director, on Village property south of the railroad tracks. (Ord. No. 644; 06-04-01)

27-9-4 **PENALTIES.** The penalties under this Section shall be as provided in the Municipal Code of the Village of New Baden, Division IV General Penalty, Section 1-1-20 Penalty. (Ord. No. 602; 04-06-98)