

**STATE OF WISCONSIN
COUNTY OF ST. CROIX
CITY OF HUDSON**

ORDINANCE NO. 4-24

**AN ORDINANCE AMENDING THE MUNICIPAL CODE
OF THE CITY OF HUDSON, WISCONSIN**

Upon review, recommendation, and consideration by the City of Hudson Common Council, the Common Council does ordain that Municipal Code § 110-2(J) is hereby amended to read as follows:

§110-2 Burning, Open. Restrictions

§110-2(J). Open burning of areas of prairie landscape will be allowed to be managed by periodic controlled burning with the following conditions:

[Added 3-21-2005 by Ord. No. 10-05]

- (1)** Prairie area landscape plans must be reviewed by the Fire Department and Public Safety Committee for recommendation to and approval for a permit for open burning of prairie areas by the Common Council. Prairie area landscape plan applications must contain a fire management plan as part of the application process, including, but not limited to, information regarding the total site area, proposed area subject to a controlled burn, projected timetable and frequency of proposed controlled burns, location of fire hydrants, unique site conditions and proposed fire supervision by a professional fire management agency or business personnel, proof of liability insurance, and provide a list of suppression equipment sufficient to address a control burn of the area proposed. The fire management plan must be approved by the Fire Department as part of the recommendation for approval by the Public Safety Committee to the Common Council.
- (2)** Permits for open burning of approved landscape areas for vegetative management shall be restricted to vegetative areas located within properties that are zoned in the:
[Amended 8-1-2011 by Ord. No. 15-11]

 - (a)** B-2, General Business District;
 - (b)** I-1, Light Industrial District;
 - (c)** I-2, General Industrial District;
 - (d)** PUB, Public District;
 - (e)** RM-1, RM-2, RM-3 and RM-4, Multiple-Family Residential Districts;
 - (f)** all Planned Districts, including:

[1] PUD, Planned Unit District

[2] PID, Planned Industrial

[3] PRD-1, PRD-2, and PRD-3, Planned Residential District

[4] PCD-1 and PCD-2, Planned Commercial District

- (3) The permittee must notify the Fire Department of the proposed date at least 20 days prior to the date of the controlled burn. The Fire Department reserves the right to cancel any proposed controlled burn because of conditions that may make the proposed controlled burn unsafe for the public.
- (4) The permittee will be responsible for notifying all residents and landowners within one-quarter mile of the controlled burn location of the proposed date and time of the proposed burn at least 10 days prior to the controlled burn date.
- (5) Open burning shall be constantly attended and supervised per the approved fire management plan until the fire is extinguished and is cold. The person(s) attending the fire shall have readily available for use such fire extinguishing equipment as may be necessary for the total control of the fire. The permittee shall be responsible to immediately notify the Hudson Fire Department and the St. Croix County dispatch center when the fire is determined to be cold, and they are abandoning the site with their fire management personnel.
- (6) Open burning in accordance with Subsection J shall only be conducted in a location at least 150 feet from the nearest building which is not on the same property.
- (7) The permittee will be responsible for all related costs of the Fire Department to review proposed plans and fire suppression costs related to the proposed control burn.
- (8) The approval of the controlled burning of a prairie area does not excuse the permittee from the consequences, damages or injuries which may result from, nor does it exempt the permittee from regulations promulgated by the state pollution control agency or any other governmental unit exercising jurisdiction in matters of pollution or fire hazard regulations.
- (9) The permittee shall agree to hold the City of Hudson harmless from liability of damages due to activities that occur as a result of the controlled burning.
- (10) No open burning for vegetative management shall be conducted on days when the Wisconsin Department of Natural Resources has declared an ozone action day applicable to the City of Hudson.
- (11) The Fire Chief or an authorized official of the Hudson Fire Department or representative of the City of Hudson who presents credentials may inspect any property for the purpose of ascertaining compliance with the provisions of this subsection.

(12) Application of a Burning Permit must be submitted to the City of Hudson Fire Department with all applicable materials as defined in §110-2(J)[1] along with a nonrefundable fee, to be established annually in the Municipal Fee Schedule by the Common Council.

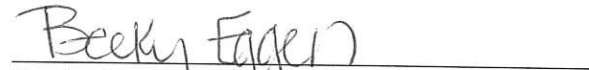
Effective Date: This Ordinance shall become effective upon adoption by the Common Council and publication as provided by law.

Adopted this 20th day of May, 2024.

APPROVED:


Rich O'Connor, Mayor

ATTEST:


Becky Eggen, City Clerk

Date Adopted: 5/202024

Date Published: June 16th, 2024; send affidavit of publication