



136 North Monroe Street, Waterloo, Wisconsin 53594-1198  
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**ORDINANCE #2019-06**

**STRIKING AND RECREATING SECTION §200-4 OF THE MUNICIPAL CODE  
BURNING REGULATIONS**

The Common Council of the City of Waterloo, Wisconsin does hereby ordain as follows:

**SECTION 1:** Section §200-4 Burning Regulations is hereby struck and recreated as follows:

- A. Outdoor burning prohibited. No person shall cause, allow or permit outdoor burning of refuse, garbage, plant life, leaves or other combustible material within the City, except as permitted under Subsection C.
- B. Incinerators prohibited. It shall be unlawful for any person to operate and maintain or cause to be operated and maintained any incinerator within the City, except as permitted under Subsection C.
- C. Exceptions.
- 1) Outdoor burning in connection with the preparation of food.
  - 2) The burning of refuse in a properly designed, operated and maintained incinerator, duly licensed by the Wisconsin Department of Natural Resources to be effective for the purpose of air pollution control, or outdoor burning by the City of Waterloo pursuant to a permit by the Wisconsin Department of Natural Resources.
  - 3) Small outdoor flames for welding, acetylene torches, safety flares, heating tar or similar applications.
  - 4) Any outdoor burning for which a person has obtained a permit from the Waterloo Fire Department.
  - 5) A fire set for the purpose of training public or private firefighting personnel.
  - 6) A fire set or required by a public officer for the abatement of nuisances and which is necessary in carrying out public health functions.
- D. Permit required.
- 1) The Waterloo Fire Department shall issue a permit for outdoor fires (apply at Waterloo City Hall):
    - a) When it can be shown by the applicant that such outdoor burning is necessary and not contrary to the interests of public health; or
    - b) When the fire is a campfire or a fire used solely for recreational purposes or for ceremonial occasions.
  - 2) No permit shall be issued within one year of the date of the prior revocation of an outdoor fire permit previously obtained by the applicant.
  - 3) This permit shall expire on December 31 of the year issued.
  - 4) This permit does not allow for the installation of a heating source for any building.
  - 5) There shall be no annual permit fee.

E. Responsibility of permit holder. The permit holder shall have the following responsibilities:

- 1) To adhere to all health and fire prevention codes.
- 2) To have adult (18 years of age or older) supervisory personnel present at the site of the outdoor burning.
- 3) To comply with the following conditions, which shall be set forth on the permit issued to the applicant:
  - a) Any fire deemed to be a public health nuisance by the Fire Chief or his or her designee shall be extinguished.
  - b) This permit shall apply to all manufactured burning rings, fireplaces, fire pits, chimneys or like devices.
  - c) No manufactured device shall be placed on any combustible surface.
  - d) The fire must be completely extinguished before the fire location may be left unsupervised.
  - e) The fire shall be no larger than four feet in diameter, subject to the exceptions listed below.
  - f) No flammable liquids shall be used to start or support the burning.
  - g) Only virgin wood and charcoal fuel will be allowed to be burned. "Virgin wood" means wood and other wood products, such as bark, but not to include sawdust, which have had no chemical treatments or finishes applied.
  - h) Under no circumstances shall plastics, trash, garbage, oils, hydrocarbon fuels, furniture, fabrics, leaves, yard waste, synthetic materials of any kind, pressure-treated wood or wood that has been finished with paints, varnishes, laminates or a similar finish be burned.
  - i) The fire shall be located at least 10 feet from property lines and at least 20 feet from any building or structure. This does not apply to manufactured devices.
  - j) A functional extinguishing aid must be present, such as a fire extinguisher, garden hose, etc.

- 4) Exceptions. A bonfire exceeding the size restrictions set forth in Subsection E(3)(e) will be permitted for churches, organized schools, and civic organizations and only if application for site review has been made and approved by the Waterloo Fire Department. Such bonfire shall be no more than 10 feet in diameter or 10 feet by 10 feet square and no more than six feet high and must comply with all other provisions of the permit.

F. Emergency provisions. Notwithstanding any other provision of this section, the Fire Chief, in times of extreme dryness or drought, deficiency in the water supply or by reason of any other emergency, is authorized to prohibit the setting of any fires upon any lands within the City by providing published notice of the declared emergency and the scope of the declaration in the local newspaper on the date that the emergency is declared to begin and by providing published notice broadcast through local radio or cable television.

**SECTION 2:** This ordinance shall take effect and be in force after its passage and publication in a manner provided for by law.

Acted on and adopted at a regular meeting of the Common Council on July 11, 2019.

City of Waterloo

Signed:   
Jenifer Quimby, Mayor

Attest:   
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Mo Hansen  
City Clerk/Treasurer

Date Adopted: 07/11/2019  
Date Published: The Courier, 07/18/2019

Note: Current text proposed to be struck is attached for reference.

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Current Text Proposed To Be Struck Attached For Reference

§ 200-4 **Burning regulations.**

No person shall burn any leaves, trash or rubbish within the City without the permission of the Fire Chief.

