

**TOWN OF BAILEYS HARBOR**  
**ORDINANCE NO. 02-2015**  
**Burning Ordinance**

The Town Board of Supervisors of the Town of Baileys Harbor (“Town Board”), Door County, Wisconsin, does ordain as follows:

**Section 1 - Authority**

This ordinance is adopted pursuant to the authority granted under Wis. Stats. §60.22 (3) and §61.34.

**Section 2 - Purpose**

This ordinance is created by the Town Board of the Town of Baileys Harbor with the intention of regulating outside burning in the Town of Baileys Harbor to enhance the health, safety, security and public welfare of the citizens of Baileys Harbor.

**Section 3 – Outside Burning**

1. **Outside Burning.** It shall be unlawful for any person, organization, business or corporation to light or maintain any outside fires unless a permit has been issued by the Fire Chief or a designee of said official, except for:
  - a. Cooking purposes; and
  - b. Camp fires; and
  - c. Burning barrel, with a metal screen top, under direct supervision, with an extinguishment source.
  
2. **Fireworks.** It shall be unlawful for any person, organization, business, or corporation to light or maintain any fireworks as defined in Wis. Stats. §167.10 (1), except fireworks for public display in compliance with state law shall be permitted after obtaining all state and local permits.
  
3. **Training Exceptions.** The Fire Department may, however, in its usual training courses, either exclusively by the department or in conjunction with other industries or business, burn such substances as is deemed appropriate by said department for the purpose of training either members of the Fire Department, or persons employed by industry or business.
  
4. **Enforcement.**

- a. Prosecutions under this chapter shall be made by the issuance of town ordinance citations and the procedure to be followed shall be governed by those Wisconsin Statutes pertinent and applicable to chapter violations.
  - b. All Town of Baileys Harbor law enforcement officials, Door County law enforcement officials and State of Wisconsin law enforcement officials are hereby authorized in the name of the Town of Baileys Harbor to make arrests or issue citations for prosecution for violations occurring under this chapter.
5. **Special Drought Section.** At any time when the Fire Chief of the Town of Baileys Harbor or his designee has directed that a drought exists, the following regulations shall be in place during such drought:
- a. **Outside Burning.** It shall be unlawful for any person, organization, business, or corporation to light or maintain any outside fires including but not limited to brush, grass, bonfire, burning barrel, or cage except for:
    - i. Cooking purposes, and maintained on a non-combustible surface
    - ii. Campfires maintained in a campfire ring
  - b. **Fireworks.** It shall be unlawful for any person, organization, business, or corporation to light or maintain any fireworks that produce an open flame or spark except for public display, which must be displayed over water, wind permitting, in compliance with state law and after obtaining all state and local permits, which must be issued by the Town Chairman or a designee of said official.

#### **Section 4 – Penalties, Forfeitures.**

1. Any person violating this ordinance or any part thereof shall be subject to a forfeiture of not more than \$100.00 for the first offense and \$500.00 for the second and subsequent offenses, plus costs, disbursements and costs of prosecution.
2. Any person violating this ordinance or any part of this ordinance shall be subject to all charges for the extinguishment of said fire by all agencies involved with extinguishment of said fire.
3. Any person violating this ordinance or any part of this ordinance shall be liable for all damage to Town property caused by such fire.

#### **Section 5 – Effective Date**

This ordinance shall be effective upon passage and publication.

Submitted by:

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Donald Sitte, Chairman

| <b>Board Members</b> | <b>Aye</b> | <b>Nay</b> | <b>Exc.</b> |
|----------------------|------------|------------|-------------|
| Donald Sitte         |            |            |             |
| Peter Jacobs         |            |            |             |
| Roberta Thelen       |            |            |             |
| Robert L. Schultz    |            |            |             |
| Barbara Anschutz     |            |            |             |

I, Douglas Smith, Clerk of the Town of Baileys Harbor, hereby certify that the above is a true and correct copy of an ordinance that was adopted on the 16th day of March 2015, by the Board of Supervisors.

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Douglas Smith

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