

VILLAGE OF KINGSTON

ORDINANCE NO. 2017-11

AN ORDINANCE AMENDING
CHAPTER 30,
OUTDOOR BURNING,
OF THE MUNICIPAL CODE
OF THE VILLAGE OF KINGSTON

ADOPTED BY THE
VILLAGE BOARD OF THE
VILLAGE OF KINGSTON
THIS 2ND DAY OF OCTOBER, 2017

Published in pamphlet form authority of the Village Board of the Village of Kingston, DeKalb County Illinois, this 2nd day of October, 2017A.D.

ORDINANCE NO. 2017-11

BE IT ORDAINED by the President and the Board of Trustees of the Village of Kingston, DeKalb County, Illinois, as follows:

That Chapter 30, Outdoor Burning, of the Kingston Municipal Code, shall be amended as follows:

SECTION 1. That Section 30-1: Burning of Garbage Prohibited, shall be enacted as follows:

30-1: BURNING OF GARBAGE PROHIBITED:

The outdoor burning of refuse material and debris within the Village limits shall not be allowed.

SECTION 2. That Section 30-2: Recreational Fire Allowed, shall be enacted as follows:

30-2: RECREATIONAL FIRE ALLOWED:

Recreational Fire is defined as "an occasional outdoor fire contained in a fire-safe vessel or pit, similar in size and duration to a small campfire, which uses only dried, seasoned timber not thicker than six inches (6") in diameter". Recreational fire shall be allowed, except under certain conditions stipulated in Sections 30-4 and 30-7 of this Chapter. Recreational fires are limited to three feet in diameter, two feet in height and twenty-five feet from a structure. Recreational fires shall not be allowed upon any Village property, including any Village Rights of Way.

SECTION 3. That Section 30-3: Leaves, Grass Clippings, Yard Waste and Garden Debris, shall be enacted as follows:

30-3: LEAVES, GRASS CLIPPINGS, YARD WASTE AND GARDEN DEBRIS:

The burning of grass clippings, yard waste, garden waste and leaves are not prohibited.

SECTION 4. That Section 30-4: Supervision, shall be enacted as follows:

30-4: SUPERVISION:

Any open burning shall be constantly attended by at least one responsible adult individual until the fire is extinguished. A water hose or water fire extinguisher, or comparable fire extinguishing equipment, shall be immediately available near the fire site.

SECTION 5. That Section 30-5: Charcoal or LP Gas Grills, shall be enacted as follows:

30-5: CHARCOAL OR LP GAS GRILLS:

Open burning for the purposes of cooking and preparing a meal using charcoal or LP gas in a typical grilling procedure and equipment is not prohibited by this Chapter.

SECTION 6. That Section 30-6: Construction Debris, shall be enacted as follows:

30-6: CONSTRUCTION DEBRIS:

The burning of construction debris for waste disposal purposes is strictly prohibited.

SECTION 7. That Section 30-7: Special Conditions, shall be enacted as follows:

30-7: SPECIAL CONDITIONS:

The Police Department or Code Official may prohibit any burning irrespective of any implied permission granted herein, which will be offensive or objectionable due to smoke or odorous emissions when atmospheric or local circumstances make such fires a nuisance or hazardous. The Police Department or Code Official may order the extinguishment of any burning which creates or adds to a hazardous or objectionable situation or condition.

Controlled Burns by the Genoa-Kingston Fire Protection District are not prohibited.

SECTION 8. VALIDITY

(a) All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent that they conflict with this Ordinance, or any part of this Ordinance.

(b) If any provision contained in this Ordinance is found to be invalid, such provision shall be deemed to be severable and shall not affect the validity of any of the remaining provision of the ordinance.

SECTION 9. ORDINANCE IN FORCE

(a) This ordinance shall be in full force and effect from and after its passage and approval and publication in pamphlet form as provided by law.

ADOPTED this 2nd day of October, 2017, pursuant to roll call vote as follows:

AYES: 5, Trustees Altmaier, Fischer, Hengels, Lynch and Van Buren.

NAYS: 0.

ABSENT: Trustee Jennings

APPROVED this 2nd day of October ,2017

Jim Baenziger, Village President

ATTEST:

Angie Lauderdale, Village Clerk

CERTIFICATE

STATE OF ILLINOIS)

)SS.

COUNTY OF DEKALB)

I, Angie Lauderdale, certify that I am the duly appointed and acting municipal clerk of Kingston, DeKalb County, Illinois.

I further certify that on October 2, 2017 the Corporate Authorities of such municipality passed and approved Ordinance 2017-11, entitled AN ORDINANCE AMENDING CHAPTER 30, OUTDOOR BURNING, OF THE MUNICIPAL CODE OF THE VILLAGE OF KINGSTON, which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance 2017-11 including the ordinance and cover sheet thereof prepared, and a copy of such Ordinance was posted in the Village Hall, commencing on October 2, 2017, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the front office of the municipal clerk.

Dated at Kingston, Illinois, this 2nd day of October, 2017.

(SEAL)

Angie Lauderdale, Village Clerk