

TOWN OF ONALASKA
La Crosse County, Wisconsin
An Ordinance Amending the Code of the Town of Onalaska
Amending Chapter 20 Fire Prevention and Protection,
Article III. Outdoor Burning,
Amending Sections 20-53 entitled "Outdoor campfires restricted"
& 20-58 entitled "Burning permits; conditions"

The Town Board of the Town of Onalaska do ordain as follows:

Section 1: Chapter 20 Fire Prevention and Protection, Article III. Outdoor Burning, Section 20-53 of the Code of the Town of Onalaska entitled "Outdoor campfires restricted" is hereby amended with additional language underlined and deleted language ~~stricken~~ to provide as follows:

Sec. 20-53. Outdoor campfires restricted.

Campfires, small bonfires for cooking, ceremonies or recreation are allowed;

- (1) Between 7:00 AM and 12:00 AM. No person shall maintain a fire for more than four (4) continuous hours per day.
- (2) provided the fire is confined by a control device or structure such as a fire ring, or fire pit not to exceed three feet in diameter and is at least 20 feet from any combustible materials, combustible walls or partitions, exterior window openings, exit access or exit. ~~Fire rings/pits constructed prior to December 31, 2008, may exceed these requirements unless the fire chief deems them an undue hazard.~~
- (3) Only clean, dry wood or untreated and unpainted lumber shall be burned. Material for fire shall not include rubbish, garbage, recyclable items, material made of or coated with rubber, plastic, leather or petroleum-based materials, or contain any flammable or combustible liquids. In the event of non-approved materials are being burned, the Fire Department may respond and extinguish the fire.
- (4) All recreational fires, shall at all times be attended by at least one responsible person eighteen (18) years of age or older from the ignition of the fire until the fire is completely extinguished.
- (5) Smoke from any recreational fire shall not create a nuisance for the neighboring property owners. the fire shall be extinguished immediately upon complaint of a neighboring property owner in regard to nuisance smoke.
- (6) No recreational fire shall be started or allowed to continue burning when the wind direction or wind speed will cause smoke, embers, or other burning materials to be carried by the wind toward other combustible materials. No recreational fires are allowed when wind speed is greater than ten (10) miles per hour.
- (7) The property owner and/or the person who started a recreational fire shall hold the Town of Onalaska and the Fire Department harmless from any and all damages caused by a recreational fire. A person maintaining a recreational fire shall be responsible for all suppression costs and any liability resulting from damage caused by said fire.

Section 2: Chapter 20 Fire Prevention and Protection, Article III. Outdoor Burning, Section 20-58 of the Code of the Town of Onalaska entitled "Burning permits; conditions." is hereby amended with additional language underlined and deleted language ~~stricken~~ to provide as follows:

Sec. 20-58. Burning permits; conditions.

All permits shall be issued by the fire chief of the ~~Holmen Area~~ Fire Department or other persons authorized by the fire chief to issue a burning permit. Each permittee shall adhere to the following:

...

Section 3: If any provision of this Ordinance(s) is invalid or unconstitutional or if the application of this Ordinance(s) to any person or circumstance is found invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the provision(s) or application(s) of this Ordinance(s) that can be given effect without the invalid or unconstitutional provision(s) or application(s).

Section 4: All ordinances and/or parts of ordinances in conflict herewith are hereby repealed.

Section 5: This Ordinance(s) shall be in full force and effect from and after its date of adoption and notice to the public as required by law.

Section 6: Town personnel are hereby authorized and directed to make all changes to the Code of Ordinances necessary to reflect this amendment.

Adopted this 14 day of November, 2023.

TOWN OF ONALASKA

By: Stan Hauser
Stan Hauser, Chairperson

ATTEST:

By: Mary Rinehart
Mary Rinehart, Administrator/Clerk-Treasurer

Noticed to the public on: November 30, 2023