

**TOWN OF GIBRALTAR**  
**REGULATION OF FIRES/BURING PERMIS**  
**ORDINANCE NO. 1992-00**

**PURPOSE.** The Town Board of Supervisors of the Town of Gibraltar, Door County, Wisconsin, find that it is in the best interests of the public to regulate fires and burning permits. The adoption of this Ordinance will promote good order of the Town and will be for the benefit of the residents of the Town and for their health, safety, welfare and convenience and

WHEREAS, the escape of forest, brush, grass or other fires is a threat to human life and property and a heavy expense to the taxpayers of the Town of Gibraltar and, therefore, it is necessary to regulate the setting of fires in the Town of Gibraltar.

**SECTION I. AUTHORITY**

- 1.1 The Town Board, pursuant to the Wisconsin State Statutes, specifically Section 26.12, 26.13, 26.14, 60.55, 60.555 60.557 and 101.14, has the authority and duty to regulate and control fire within the Town of Gibraltar.

**SECTION II. FIRE SAFETY PERMIT**

- 2.1 Every person in the Town of Gibraltar shall seek and obtain a fire safety permit from the Town of Gibraltar, unless exempt by this Ordinance, for any fire to be ignited in the Town of Gibraltar.
- 2.2 **Fee.** The fee for issuing any permit shall be \$\_\_\_\_\_ per permit.
- 2.3 **Application/Permit.** All persons seeking to burn in the Town of Gibraltar (unless exempt) shall file an application with the Town Board seeking a fire burning permit. The application shall include:
- A. The name of the applicant.
  - B. The address of the applicant.
  - C. The residential and business telephone numbers of the applicant, if any.
  - D. The age of the applicant.
  - E. The date of the application.
  - F. The date requesting the actual burning.
  - G. The time and location of the requested burning.
  - H. The type, source and amount of material to be burned.
  - I. The name and age of the person to manage and control the actual burning.
  - J. A description of fire protection established and fire prevent activities to be used at the actual burning location.
  - K. A description of the fire safety equipment to be available and maintained in the area of the actual burning.
  - L. A diagram of the location showing the actual burning area, along with a description of the physical structures near the burning area.
  - M. The names and addresses of all responsible parties who will be in charge of the burning. Any permit issued shall not be transferable from one person to another.
- 2.4 **Exemptions.** The following are exempt from this permit requirement:

- A. Persons who burn materials in a stove, furnace or incinerator inside a building.
  - B. Persons who burn charcoal or other combustible materials for domestic cooking outdoor at their residence or who burn charcoal or other combustible materials for domestic cooking outdoors. This exemption does not apply upon a declared public fire emergency by the State Department of Natural Resources.
  - C. Persons who burn charcoal or other combustible materials for the purpose of keeping warm. This exemption does not apply upon a declared public fire emergency by the State Department of Natural Resources.
- 2.5 No person shall be issued or re-issued a burning permit in the Town of Gibraltar if the applicant or permittee:
- A. Fails to prevent or attempt to prevent open fires intentionally ignited.
  - B. Fails to establish adequate fire protections and fire prevention activities at the requested or permitted burning location.
  - C. Fails to install or maintain adequate fire safety equipment during the requested or permitted use.
  - D. Fails to prevent burning activities that are not authorized by the permit.
  - E. Fails to allow physical access to the requested or permitted burning area location by the Town Chairman, Town Clerk, Town Fire Chief, or any person designated by the above persons, for the purpose of inspection of the burning location.

### SECTION III. OTHER PROVISIONS

- 3.1 The Town of Gibraltar prohibits any person from the igniting of any fires outdoors for burning brush, wood, trash, solid waste, hazardous waste or any other material upon days declared emergency fire days by the State Department of Natural Resources.
- 3.2 The Town of Gibraltar prohibits any person from the igniting of any hazardous waste at any time in the Town of Gibraltar.

### SECTION IV. PENALTY

- 4.1 Any person who fails to comply with this Ordinance or any person who shall intentionally or negligently set any fire shall be subject to a forfeiture of \$500.00, plus all costs incurred by the Town, including the cost of equipment and man hours. The cost of equipment/apparatus is currently established at \$100.00 for each fire fighting vehicle and \$10.00 per hour for each fire department individual called to the scene of any fire. In addition, any person found violating this Ordinance shall be responsible for all costs incurred by the Town of Gibraltar in enforcing this ordinance. Each day of a violation shall be considered a separate and distinct violation.

### SECTION V. SEVERABILITY OF PROVISIONS

- 5.1 Provisions of this ordinance are declared to be severable. If any section, clause or provision of this Ordinance shall, for any reason, be declared invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION VI. EFFECTIVE DATE

6.1 This Ordinance shall take effect from and after its passage and publication or posting as provided by law.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 1992.

TOWN BOARD OF SUPERVISORS FOR THE TOWN OF GIBRALTAR, DOOR COUNTY,  
WISCONSIN:

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