

**TOWN OF GIBRALTAR**  
**REGULATION OF FIRE/BURNING PERMITS**  
**ORDINANCE 2024-03**

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**Ordinance 2024-03 Identified in the code of Ordinances shall repeal and replace any previous Ordinance(s) in whole or part, or any other ordinances contradicting this new ordinance.**

**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 settings of fires in the Town of Gibraltar

**State Statutes Adopted-Authority:**

The Town Board of the Town of Gibraltar is granted authority for adopting this ordinance under its general Village Powers authority and 66.1014 of the Wisconsin Statutes, 2917 Act59. pursuant to the Wisconsin Statutes Sections 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.

**Fire Safety Permit rules:**

1. Every person in the Town of Gibraltar shall seek and obtain a fire safety permit from the Town of Gibraltar and be authorized by the Town of Gibraltar Fire Department, unless exempt by this ordinance, for any fire to be ignited in the Town of Gibraltar.
2. There shall be no fees associated with burning permit applications.
3. Exemptions:
  - a. Persons who burn materials in a stove, furnace, or incinerator that meets manufacture approved guidelines inside or outside a structure.
  - b. People who burn charcoal or other combustible materials for domestic cooking outdoors at their residence or at a public campground. \*This exemption is void in the event of a declared public fire emergency by the State Department of Natural Resources. Or by Gibraltar Fire Department \*
  - c. People who burn charcoal or other combustible materials for the purpose of keeping warm.
4. No person shall be issued or re-issued a burn permit in the Town of Gibraltar and may be subject to citation and additional costs if the applicant or permittee:
  - a. Fails to prevent or attempt to prevent open fires intentionally ignited.
  - b. Fails to establish adequate fire protection 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 permitted burning area location by The Town of Gibraltar Fire Chief, Town of Gibraltar Fire Department, or designee. For the purpose of inspection of the burning location.

**Other provisions:**

- A. The Town of Gibraltar prohibits any person from the igniting of any fires outdoors for burning Brush, wood, trash, solid waste, materials upon and day where the State of Wisconsin, Department of Natural Resources, or the Gibraltar Fire Chief has declared fire conditions to be in the high, very high, extreme categories, and, or declared by the Gibraltar Fire Department under special exemption.
- B. The Town of Gibraltar prohibits any person from igniting any Hazardous waste at any time in the Town of Gibraltar.

**Burn Guidelines.**

- A. Any person who ignites a permitted fire in the Town of Gibraltar may not ignite an open burn fire less than 50 feet from any structure or combustible material.
- B. any contained pit fire or recreational fire no less than 25 feet from any structure or combustible material. These guidelines are set by NFPA 1 10.11

**Penalty:**

- A. Any person found guilty of violating this ordinance or any part of this ordinance, shall be subject to a forfeiture of not less than \$50.00 or more than \$500.00 as set by the Town of Gibraltar Board and established in the Town of Gibraltar fee schedule, together with the costs of prosecution and in rueful default of payment of such forfeiture and cost of prosecution, shall be imprisoned in the County jail until said forfeiture is paid, but not exceeding 60 days.
- B. Any persons whose actions lead to fire suppression are additionally liable for any costs associated with the official action of the Gibraltar Fire Department. Including costs of equipment, apparatus usage, personnel time, and costs of mutual assistance.
- C. Any person, firm, or corporation violating any of the subsections of this ordinance may stipulate guilt or no-contest and may pay to the clerk of court a bond according to a scheduled prescribed by the Circuit Court of Door County. Such stipulation will make it unnecessary for the subject charged to appear in court and will act as a basis for the court to enter judgement and order forfeiture of the bond. Forfeitures, penalty assessments, costs, and fees shall be disbursed as provided in Wisconsin Statutes, Section 66.12

**Enforcement:**

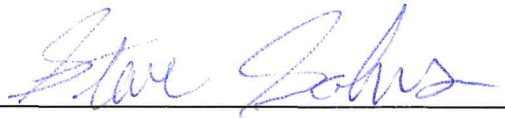
- A. Enforcement shall be citation.
- B. Additional costs for service will be billed to individuals after a full assessment of the damage is conducted.
- C. The Town of Gibraltar reserves the right to apply any local resident unpaid forfeiture expenses to their Tax Bill or use collection service to obtain payment.

**Severability:**


If any of this ordinance is declared invalid or unconstitutional by a court of competent Jurisdiction, such a decision shall not affect the validity of any other provisions of this ordinance.

This ordinance shall take effect from and after its passage and publication as provided by law.

Adopted this day May 1, 2024, by the town Board of Gibraltar

Town Chairman Steve Sohns 

Supervisor Chomeau 

Supervisor Birmingham 

Supervisor Merkel 

Supervisor Selenica 

Attested By the Clerk of the Town of Gibraltar.

Travis Thyssen 

Date 5-1-2024

