

VILLAGE OF GRANDVIEW, ILLINOIS

ORDINANCE NO. 11- 06

**AN ORDINANCE REGULATING OUTDOOR BURNING AND
DISCONTINUING THE VILLAGE YARD WASTE PICKUP PROGRAM**

ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF GRANDVIEW, ILLINOIS

THIS 17 DAY OF May, 2011

Published in pamphlet form by the authority of the President and
Board of Trustees of the Village of Grandview, Illinois
Illinois, this 17 day of May, 2011.

STATE OF ILLINOIS)
) ss.
COUNTY OF SANGAMON)

CERTIFICATE

I certify that I am the duly elected and acting Village Clerk of the Village of Grandview, Sangamon County, Illinois.

I further certify that on May 17, 2011, the corporate authorities of such Village passed and approved Ordinance No. 11-06 entitled:

AN ORDINANCE REGULATING OUTDOOR BURNING AND DISCONTINUING THE VILLAGE YARD WASTE PICKUP PROGRAM

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 11-06 including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the Village Hall, commencing on May 17, 2011, to continue for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Village Clerk.

DATED at Grandview, Illinois, this 17 day of May, 2011.

(SEAL)

Misuelle Batis
Village Clerk

**AN ORDINANCE REGULATING OUTDOOR BURNING AND
DISCONTINUING THE VILLAGE YARD WASTE PICKUP PROGRAM**

*BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF
THE VILLAGE OF GRANDVIEW, ILLINOIS:*

SECTION 1. As used in this ordinance:

“Landscape waste” has the same definition as in the Environmental Protection Act: all accumulations of grass or shrubbery cuttings, leaves, tree limbs and other materials accumulated as the result of the care of lawns, shrubbery, vines and trees.

“Yard Waste” means grass clippings and leaves, and excludes all other types of landscape waste.

“Recreational fire” means a wood or charcoal fire continuously maintained during a social gathering of two or more persons.

SECTION 2: No person shall burn trash, rubbish, papers or garbage, general household commercial waste, construction or demolition debris, or waste other than landscape waste, within the corporate limits of the Village of Grandview.

SECTION 3: The burning of landscape waste within the corporate limits of the Village of Grandview is permitted in accordance with the provisions of this ordinance.

SECTION 4: No person shall burn landscape waste in a Village ditch, or upon or within two feet of the paved portion of any street, sidewalk or public way.

SECTION 5: Landscape waste may be burned only on Wednesday through Saturday, 9:00 am to sunset, and only if:

- a. the wind speed is 15 miles per hour or less;
- b. there is at least one person, age 16 or older, constantly tending the fire;
- c. excessive smoke is not caused thereby; and
- d. the person tending the fire has ready access to a garden hose or other water supply, or has other tools or equipment available for the use in extinguishing such a fire;

A person tending a landscape waste fire shall immediately extinguish the fire if the fire, when started, met the standards of this section, but conditions have changed such that the fire no longer meets the standards of this section.

SECTION 6: Recreational fires are allowed within the corporate limits of the Village during the period of time between one-half hour before sunset and 2:00 a.m., and only if:

- a. the wind speed is 15 miles per hour or less;
- b. there are at least two persons, age 16 or older, constantly tending the fire, and one of the persons is the owner or occupier of the land;
- c. excessive smoke is not caused thereby;
- d. the fire is contained within a pit at least 1 foot in depth and ringed with brick, cinder blocks or rocks or a commercially purchased fire pit;
- e. the person tending the fire has ready access to a garden hose or other water supply, or has other tools or equipment available for the use in extinguishing such a fire; and
- f. the fire is conducted entirely on private property at least 10 feet from any

property line.

A person tending a recreational fire shall immediately extinguish the fire if the fire, when started, met the standards of this section, but conditions have changed such that the fire no longer meets the standards of this section.

SECTION 7: This ordinance does not prohibit or regulate outdoor grills, whether charcoal, natural gas or propane. This Ordinance does not prohibit or regulate fires in an interior fireplace.

SECTION 8: The Village of Grandview Police Department is charged with the responsibility of monitoring and enforcing the Ordinance. The Village Police Department may order the extinguishment of any fire, which, in the opinion of the officer on duty, violates this Ordinance. All persons shall obey the order of the officer on duty.

SECTION 9: The Village of Grandview hereby discontinues its yard waste pickup program.

SECTION 10: No person shall burn landscape waste, or attempt to dispose of yard waste under the yard waste pickup program, unless such waste was generated by vegetation located within the corporate limits of Grandview.

SECTION 11: Any person violating Section 5 or 6 of this Ordinance shall upon conviction be subject to a fine as follows:

1. For the first offense, not less than \$50.00 or more than \$100.00.
2. For a second offense, not less than \$150.00 or more than \$250.00
3. For the third or subsequent offense, not less than \$300.00 or more than

\$750.00.

SECTION 12: Any person violating Section 2, 4 or 10 of this Ordinance, or failing to obey the lawful order of a police officer in accordance with Section 8 of this Ordinance, shall upon conviction be subject to a fine of not less than \$500.00 or more than \$750.00 for each offense. Each day a violation occurs is deemed a separate offense.

SECTION 13: In addition to seeking penalties as set forth in Sections 11 and 12, the Village may seek any other remedies available at law and equity to restrain or enjoin violations, which are hereby declared a nuisance.

SECTION 14: This Ordinance is effective upon its passage, approval and publication as required by law. The Clerk shall publish this Ordinance in pamphlet form. Ordinance No. 09-02, relating to outdoor burning, is repealed.

PASSED this 17 day of May, 2011.

M. McWell
VILLAGE PRESIDENT

ATTEST:

M. Melville Bates
Village Clerk

AYES: 6
NAYS: 0

PASSED: Yes
APPROVED: ✓

ABSENT: 0