

ORDINANCE NUMBER: 2026-13

AN ORDINANCE AMENDING SECTION 5-3-1 “FIRES” OF THE CODE OF ORDINANCES FOR THE VILLAGE OF POPLAR GROVE REGARDING OPEN BURNING REGULATIONS

WHEREAS, the Village of Poplar Grove (“Village”) had adopted a Code of Ordinances (“Code”); and

WHEREAS, Title V “Health and Sanitation”, Chapter 3 “Open Burning”, Section 5-3-1 “Fires” provide for the regulation of open burning fires within the Village including, but not limited to distance between an open fire and structures, items that may and may not be burned, and penalties for violations; and

WHEREAS, the Village wishes to amend Section 5-3-1 “Fires”, of Chapter 3 “Open Burning”, of Title V “Health and Sanitation”, of the Code, as set forth herein; and

WHEREAS, the Village has determined that it is in the best interest of the Village and its citizens to approve such amendment.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Poplar Grove, Illinois as follows:

1. The above recitals are incorporated herein and made a part hereof.
2. Section 5-3-1 “Fires” of the Code of Ordinances for the Village of Poplar Grove, shall be and hereby is amended, to read as follows (deletions shown as ~~striketroughs~~ and new language as **bold** and underlined):

“5-3-1. - FIRES.

- A. Bonfire Restrictions. It shall be unlawful to build or light any bonfire so close to any building or other structure as to endanger the building or structure, or on any street, or sidewalk pavement. **Whether a bonfire or fire endangers a building or structure shall be determined at the sole discretion of village personnel, fire district personnel, or law enforcement personnel.** No bonfire or fire other than one enclosed in a stove, furnace, incinerator or fireplace shall be started or permitted to burn between the time of sunset and sunrise.
- B. Open Burning Restrictions. No person shall cause, suffer, allow or permit open burning of refuse, trade waste, salvage waste, agricultural waste or other combustible material except as may be allowed in compliance with the exceptions stated in this section. **Open burning shall not be permitted if conditions are present such that a wind advisory or any warning of increased/enhanced fire risk can be issued by the United States National Weather Service for the area in which the fire is located. An area is under a wind advisory when sustained winds of 31 to 39 miles per hour for an hour or longer are present or wind**

gusts from 46 to 57 miles per hour for any duration are present. The actual issuance of a wind advisory or warning of increased/enhanced fire risk, or a person's knowledge of the issuance of such advisory or warning is not a requirement to be subject to the restriction of open burning so long as the conditions in the desired location of the fire meets the parameters of a wind advisory or increased/enhanced fire risk.

C. Exceptions to Restrictions Against Open Burning.

1. Outdoor burning **contained in a grill, fireplace, or enclosed basin or area containing the entire fire,** in connection with the preparation of food.
2. Campfires and fires used solely for recreational purposes or for ceremonial occasions, provided such fires are not untended. **In such fires, the branches are not to exceed six (6) inches in diameter and thirty (30) inches in length and the flames are not to exceed thirty-six (36) inches in diameter and thirty-six (36) inches in height.**
3. Fires set for the purpose of training public or private firefighting personnel, with the approval of the appropriate fire district.
4. Fires set or required by a public officer for the abatement of nuisances and which are necessary in carrying out public health functions, with the approval of the appropriate fire district.
5. The burning of leaves, grass, trees, brush and shrubs as derived from said address in a safe and controlled manner is permitted on the premises from which the trees, brush and shrubs originated, provided said burning is not conducted upon roadways, streets, public right-of-way or ditch.
6. Any open burning permitted under provisions of subsection C(5) of this section shall begin only between three **(3)** hours after sunrise and three hours before sunset, and additional fuel may not be intentionally added to the fire at times outside the limits stated above.

D. Penalties. Any person violating any provision of this chapter shall be fined not less than \$50.00 nor more than \$500.00 for each offense.”

3. Except as amended by this Ordinance, all other provisions and terms of the Village Code of Ordinances shall remain in full force and effect as previously enacted except that those ordinances, or parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.

4. This Ordinance shall be in full force and effect after its approval, passage and publication in pamphlet form as required by law.

PASSED UPON MOTION BY _____

SECONDED BY _____

BY ROLL CALL VOTE THIS _____ DAY OF _____, 2026

AS FOLLOWS:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT, ABSTAIN, OTHER _____

APPROVED _____, 2026

PRESIDENT

ATTEST:

VILLAGE CLERK