

ORDINANCE NO. 23-01047

**ORDINANCE REPEALING AND RECREATING SECTION 5.26 (6) OF THE OCONOMOWOC
CODE OF ORDINANCES**

WHEREAS, the Common Council wishes to repeal and recreate Section 5.23 (6) of the City Code of Ordinances related to Open Burning.

NOW, THEREFORE, the Common Council for the City of Oconomowoc ordains:

BE IT ORDAINED by the Common Council of the City of Oconomowoc, Waukesha County, Wisconsin, that Section 5.23 (6) of the Oconomowoc Code of Ordinances is repealed and recreated as follows:

SECTION I. 5.23 Miscellaneous Provisions

(6) **OPEN BURNING PROHIBITED.** Notwithstanding the provisions of §14.10, Wis. Adm. Code, adopted by reference in §5.15(3) no person shall kindle or cause to be kindled or maintain any outdoor fire in the City of Oconomowoc except for the following purposes:

(a) A fire is located no less than twenty-five (25) feet from the Ordinary High-Water Mark of any navigable waterway and ten (10) feet from a structure and contained in a fire pit/fire place/container that is no larger than thirty-six (36) inches in diameter and is only used for outdoor cooking or campfire purposes and only dried, pre-cut wood, in lengths no more than eighteen (18) inches to inhibit potash formation, is used as fuel.

(b) Training for fire departments.

(c) Bonfires for special events, with a permit issued by the Western Lakes Fire District. For purposes on this section, "Bonfire" means a large, open-air fire kindled to mark a public event, victory celebration or similar occurrence where dry, combustible material, such as wood, paper and similar items, are burned.

(d) Prescribed prairie fires of native plants as part of restoration efforts necessary for the health of native habitats, with a permit issued by the Western Lakes Fire District.

SECTION II. SEVERABILITY


Should any portion of this ordinance be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any other provisions of this ordinance.

SECTION III. EFFECTIVE DATE.

This ordinance shall become effective upon passage and publication as required by law.


Dated: May 16, 2023

CITY OF OCONOMOWOC

By: 

Robert P. Magnus, Mayor

ATTEST:


Diane Coenen, City Clerk



Date Adopted: May 16, 2023

Date Published: May 25, 2023

Effective Date: May 26, 2023