

VILLAGE OF HAMMOND
PIATT COUNTY, ILLINOIS

ORDINANCE #2021-02

"AN ORDINANCE RE: BURNING WITHIN THE VILLAGE OF HAMMOND"

ADOPTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF HAMMOND THIS
10TH DAY OF FEBRUARY 2021

VILLAGE OF HAMMOND
PIATT COUNTY, ILLINOIS
ORDINANCE #2021-02

"AN ORDINANCE RE: BURNING WITHIN THE VILLAGE OF HAMMOND"

Be it, and it is hereby ordained by the President and the Board of Trustees of the Village of Hammond, Piatt County, Illinois, as follows:

Section 1: Definitions: For the purpose of this Ordinance, the following meanings:

- A. Agricultural Wastes – any refuse, except garbage and dead animals, generated on a farm or ranch by crop and livestock production practices including such items as bags, cartons, dry bedding, structural materials and crop residues, but excluding landscape wastes.
- B. Garbage – refuse resulting from the handling, processing, preparation, cooking, and consumption of food products.
- C. Landscape Waste – any vegetable or plant refuse, except garbage, and agricultural waste. The term includes trees, tree trimmings, branches, stumps, brush, weeds, leaves, grass, shrubbery, and yard trimmings.
- D. Open Burning – the combustion of any matter in such a way that the products of the combustion are emitted to the open air without originating in or passing through equipment for which a permit could be issued under Section 9(b) of the Illinois Environmental Protection Act, Ill.Rev.Stat., c.111 ½ para. 1009(b).
- E. Refuse – any discarded matter or any matter which is to be reduced in volume, or otherwise changed in chemical or physical properties, in order to facilitate its discard, removal, or disposal.
- F. Hazardous Waste – A waste, or combination of wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics, may cause or significantly can contribute to an increase in mortality or an increase in serious, irreversible, or incapacitating reversible, illness; or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed, and which has been identified, by characteristics or listing, as hazardous pursuant to Section 3001 of the Resource Conservation and Recovery Act of 1976, P.A. 94-580 (42 USCA Section 6921) or pursuant to Pollution Control Board regulations. (ILCS Ch. 415, Act 5 & 3.220)

Section 2: Prohibition:

- A. All open burning within the Village of Hammond is hereby prohibited except as otherwise provided in Section 3 hereof.
- B. The piling of leaves in the catch basins or the roadway is prohibited.
- C. Yard waste is to be taken to the Village's yard waste pile, located across from the Post Office on 1st Street.

Section 3: Exceptions: The following activities are not a violation of Section 2 hereof:

- 1. The burning of fuels for legitimate campfire, recreational, and cooking purposes, or in domestic fireplaces in areas where such burning is consistent with other laws provided that no garbage shall be burned in such cases. Fires for the express purpose

to cook food for human consumption, such fires shall be contained in grills, charcoal burners, or the like.

2. If such burning is conducted under the supervision of a person at least 18 (eighteen) years of age; No fires shall be left unattended until entirely extinguished.
3. Fires within a dry stacked stone, masonry, or metal fire pit or ring or within a commercially manufactured portable fireplace only if the location of the stone, masonry, or metal fire pit ring or commercially manufactured portable fireplace shall be at a safe and reasonable distance from any building, structure, or vehicle and from any container or other source of flammable liquids or vapors. A metal fire ring or commercially manufactured portable fireplace shall not be placed on any combustible surface.
4. The fuel shall be dry, seasoned wood, or equal and no garbage, household waste, municipal waste, hazardous waste, or leaves shall be burned.
5. On public property, owned or leased by the Village, where the Village has posted a sign indicating "Private Landscape Waste Only", people may dump, deposit, drop, leave, or discard private landscape waste only, but nothing else.
6. Private landscape waste is hereby defined as leaves, brush, grass clippings, timber smaller than four inches in diameter from any private property located within the Village of Hammond. Any of said specified items generated or emanating from private or public property located outside of the Village of Hammond, for the purpose of this exemption shall not be considered private landscape waste and its deposit on public property within the Village of Hammond is hereby prohibited.
7. The Village of Hammond and their employees while performing Village activities shall be exempt from the provisions of this Ordinance.

Section 4: Penalty: Any person or persons who violate any of the provisions of this Ordinance shall be fined as follows:

- 1st Offense: \$180.00
- 2nd Offense-committed within 12 months of any prior offense: \$330.00
- 3rd Offense-committed within 12 months of any prior offense: \$580.00

Notice shall be deemed to be properly served by:

- a. Depositing the notice in U.S. mail, prepaid first-class postage regardless of whether the addressee accepts or refuses delivery; or
- b. Personal service; or
- c. Posting of notice upon property.

Section 5: Effect: This Ordinance shall be in full force and effect from and after its passage and approval. Any and all Ordinances not in conformity herewith are hereby revoked and declared to be null and void.

Passed by the Board of Trustees of the Village of Hammond, Piatt County, Illinois, this 10th day of February 2021, by the following roll call vote:

AYES: 4

NAYS: 0

ABSENT: 1

Approved by the President of the Board of Trustees of the Village of Hammond, this 10th day of February 2021.

Deborah Waldrop
President, Board of Trustees
Village of Hammond, Piatt County, Illinois

ATTEST:

Brenda Sebens
Village Clerk
Village of Hammond, Piatt County, Illinois

CERTIFICATE OF PUBLICATION

I, Brenda Sebens, Village Clerk/Treasurer of the Village of Hammond, Piatt County, Illinois, do hereby certify that the foregoing and attached, "An Ordinance Re: Burning Within the Village of Hammond", is a true and correct copy of said Ordinance duly adopted and enacted by the Village Board of Trustees at its regular meeting on the 10th day of February 2021, by the following roll call vote: 4 ayes: 0 nays: 1 absent:

Dated this 10th day of February 2021.

Brenda Sebens
Village Clerk of the Village of Hammond
Piatt County, Illinois

State of Illinois)
) ss.
County of Piatt)
Certificate of Publication)

I, Brenda Sebens, certify that I am the duly appointed and acting Municipal Clerk of the Village of Hammond, Piatt County, Illinois.

I further certify that on February 10, 2021, the Corporate Authorities of such municipality passed and approved Ordinance #2021-02, entitled "An Ordinance Re: Burning Within the Village of Hammond", which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance #2021-02, including the Ordinance and a cover sheet thereof, was prepared and a copy of such Ordinance was posted in the municipal building commencing on February 11, 2021 and continuing for at least 10 (ten) days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Municipal Clerk.

Dated at Hammond, Illinois, this 10th day of February, 2021.

(SEAL)