

ORDINANCE #35B

AN ORDINANCE REGULATING BURNING IN THE CITY OF FOUNTAIN CITY

The Common Council of the City of Fountain City, Wisconsin, do ordain as follows:

SECTION 1. Sections I, J, K, L, and M of Ordinance 35 A of the City of Fountain City Code of Ordinances are renumbered Sections J, K, L, M, and N, respectively.

SECTION 2. Section H. of Ordinance #35A of the City of Fountain City Code of Ordinances is amended as follows:

“H. Outdoor Wood-Fired Furnaces

An outdoor wood-fired furnace may be installed and used in the City of Fountain City only in accordance with the following provisions:

1. The outdoor wood-fired furnace shall be installed and used in accordance with the manufacturer’s instructions and in accordance with any applicable law.
2. The outdoor wood-fired furnace shall not be used to burn any of the prohibited materials listed in Subsection E. of this chapter.

I. Fire Department Practice Burns

Notwithstanding Subsections D. and E. of this chapter, the Fountain City Fire Department may burn a standing building if necessary for firefighting practice and if the practice burn complies with the requirements of the Department of Natural Resources.”

SECTION 3. Section F.7. of Ordinance #35A of the City of Fountain City Code of Ordinances is amended as follows:

“7. Outdoor campfires for cooking, ceremonies, or recreation are allowed, provided that the fire is confined by a control device or structure such as a fire ring or fire pit, each measuring no greater than three (3) feet in diameter or three (3) feet in height or depth. Fire rings shall be constructed of stone, brick, concrete, or metal, and fire pits shall be lined or encircled within such materials. The flames from the fire in such a control device or structure shall not extend more than two (2) feet above the top of such device or structure. Bonfires are allowed only if approved by and in accordance with provisions established by the ~~Fire Chief~~ Mayor or another person authorized by the Mayor.”

SECTION 4. Section F.12. of Ordinance #35A of the City of Fountain City Code of Ordinances is amended as follows:

“12. Except for campfires and permitted bonfires, open burning with a permit from the ~~Fire Chief~~ Mayor or another person authorized by the Mayor shall only be conducted during the hours of 7:00 a.m. to 10:00 p.m. daily. All fires shall be extinguished by the end of the burning period.”

SECTION 5. Section F.15. of Ordinance #35A of the City of Fountain City Code of Ordinances is amended as follows:

Insertions are indicated by underline; deletions by ~~overstrike~~.

“15. Except for barbecue, gas, and charcoal grills, no burning shall be undertaken within 25 feet from any combustible material, combustible wall or partition, exterior window opening, or access or exit doors, unless authorized by the ~~Fire Chief~~ Mayor or other person authorized by the Mayor.”

SECTION 6. Section K.1. of Ordinance #35A of the City of Fountain City Code of Ordinances is amended as follows:

“1. No person shall start or maintain any open burning with a total area exceeding 100 square feet without a burning permit issued by the ~~Fire Chief~~ Mayor or another person authorized by the Mayor.”

SECTION 7. The note at the end of Section M. of Ordinance #35A is amended to refer to *Wis. Stat. § 66.0119*.

SECTION 8. Section N.2.a. of Ordinance 35 A of the City of Fountain City Code of Ordinances is amended as follows:

“2. a. The penalty for violating Subchapters ~~E.8.~~, F.2., K.3., or M. of this chapter shall be a forfeiture in the amount of \$1,000.00 for a first violation and of \$1,500.00 for any subsequent violation occurring within twelve (12) months of a first violation.”

SECTION 9. This Ordinance #35B shall take effect upon passage and publication as provided by law.

ADOPTED at a regular meeting of the City of Fountain City Common Council this _____ day of July, 2025.

CITY OF FOUNTAIN CITY

By: _____
Ben Adank, Mayor

ATTEST: _____
Marcia Larson, Clerk

Adopted: July _____, 2025

Published: July _____, 2025