

CHAPTER 9

FIRE PREVENTION AND PROTECTION

ART. I In General, 9-1-1 – 9-1-14

ART. II Burning, 9-2-1 – 9-2-7

ARTICLE I. IN GENERAL

Article I Repealed in its entirety.

(Ordinance 25-C-3, amended October 20, 2025).

ARTICLE II. BURNING

9-2-1. Definitions. As used in this ARTICLE, the following terms shall have the following meanings, unless the context clearly indicates that a different meaning is intended:

(a) **Domicile Waste:** Any refuse generated on single-family domiciliary property as a result of domiciliary activities. The term excludes landscape waste, garbage and trade waste.

(b) **Garbage:** Refuse resulting from the handling, processing, preparation, cooking and consumption of food or 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 Environmental Protection Act (415 ILCS 5/1 et seq.).

(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) **Trade Waste:** Any refuse resulting from the prosecution of any trade, business, industry, commercial venture, utility or service activity, and any government or institutional activity, whether or not for profit. The term includes landscape waste but excludes agricultural waste.

9-2-2. Prohibitions

(a) No person shall cause or allow open burning of domicile waste, garbage, trade waste or refuse within the boundaries of the City of Arcola.

(b) No person shall cause or allow the burning of any domicile waste, garbage, trade waste or refuse in any chamber or apparatus within the boundaries of the City of Arcola, unless such chamber or apparatus is specifically designed for the purpose of disposing of the class of refuse being burned and is approved by the Environmental Protection Agency pursuant to regulations adopted by the Environmental Protection Agency under the Environmental Protection Act (415 ILCS 5/1 et seq.).

(c) No person shall cause or allow the open burning of landscape waste within the City of Arcola except under the following circumstances and at the following times:

- (1) On the premises on which such landscape waste is generated provided that no burning shall be permitted on asphalt surfaces, city streets, alleys, sidewalks, or other public rights-of-way; and
- (2) When atmospheric conditions will readily dissipate contaminants; and
- (3) If such burning does not create a visibility hazard on roadways or railroad tracks; and
- (4) If such burning is done at least twenty feet from any structure; and
- (5) If such burning is constantly attended by a competent person until such fire is extinguished; and
- (6) If such burning is done between the hours of 12:00 noon and 7:00 p.m. so that the fire is extinguished and smoldering discontinued by 7:00 p.m.

(Ordinance 25-C-3, amended October 20, 2025)

9-2-3. Exemptions. The following activities are not in violation of this ARTICLE: 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 and ordinances, provided that no garbage shall be burned in such cases. No such fires shall be left unattended. All such fires shall be extinguished prior to 1 a.m. unless special permission is given by the police department or City Council for a later time.

(Ordinance 09-C-1, amended April 06, 2009)

9-2-4. Container for Burning Landscape Waste. A container or burning barrel may be used to burn landscape waste in accordance with the provisions of Section 9-2-2 provided that there shall be no more than one container or burning barrel allowed for each residence, apartment building, or commercial property and further provided that the container or burning barrel is situated on the property in a location that is out of the direct view of persons driving or walking by the property.

9-2-5. Severability. The provisions of the ARTICLE are severable, and if any sentence, section or other part of this ARTICLE should be found to be invalid, such invalidity shall not affect the remaining provisions, and the remaining provisions shall continue in full force and effect.

9-2-6. Conflicts with Other Code Sections. This ARTICLE and each Section thereof shall control in case of conflict with any other Section of the Arcola Municipal Code.

9-2-7. Penalty. A person violating any provisions of the ARTICLE shall be fined not less than \$5.00 nor more than \$500.00 for each offense.

(Ordinance No. 98-C-2, amended June 15, 1998)