

ORDINANCE NO. 18216

**ORDINANCE AMENDING CHAPTER 8, ARTICLE IV, SECTION 8-288,
OPEN BURNING OF THE CITY OF JOLIET CODE OF ORDINANCES**

WHEREAS, the Mayor and City Council of the City of Joliet, Illinois (City) has the authority to adopt ordinances and to promulgate rules and regulations that pertain to the health and welfare of citizens; and

WHEREAS, the Mayor and City Council recognize that the Code of Ordinances should be updated from time to time; and

WHEREAS, the Mayor and City Council recognize that fire safety and fire code regulation is an essential function of local government; and

WHEREAS, the Mayor and City Council recognize that Ordinances should be consistent with current practices; and

WHEREAS, the City of Joliet is a home rule unit of local government.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF JOLIET, ILLINOIS, PURSUANT TO ITS STATUTORY AND HOME RULE AUTHORITY, AS FOLLOWS:

SECTION 1: The Mayor and City Council hereby find that the recitals contained in the remainder of this Ordinance are true, correct and complete and are hereby incorporated into this Ordinance by reference.

SECTION 2: That Chapter 8, Article IV, Section 8-288 of the Code of Ordinances shall be amended to read as follows:

8-288 Prohibited Open Burning

- (a) Open burning that is considered offensive or objectionable due to smoke or odor emissions when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited in the City of Joliet.
- (b) When open burning creates or adds to a hazardous situation, the fire code official is authorized to order the extinguishment of the open burning operation.
- (c) The open burning of any waste material (including yard waste) within the City of Joliet is prohibited.
- (d) A bonfire shall not be conducted within 50 feet of a structure or combustible material unless the fire is contained in a secure fire pit. Outdoor fire pits shall not be located less than 15 feet away from a structure or fence and shall be supported by legs which attach to a steel bottom, with wire mesh sides and a top.

- (e) It shall be unlawful to deliberately or through negligence set fire to or cause the burning of combustible material in such a manner as to endanger the safety of persons or property.
- (f) Outdoor fires shall be constantly attended until the fire is extinguished. It shall be unlawful to leave such fires unattended.

SECTION 3: In the event that any provision or provisions, or portion or portions of this ordinance shall be declared to be invalid or unenforceable by a Court of competent jurisdiction, such adjudication shall in no way affect or impair the validity or enforceability of any of the remaining provisions or portions of this ordinance that may be given effect without such invalid or unenforceable provision or provisions, portion or portions.

SECTION 4: All ordinances directly in conflict with the terms of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 5: This Ordinance shall be deemed severable and the invalidity of any portion hereof shall not invalidate the remainder.

SECTION 6: This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

PASSED this 4th day of May, 2021



MAYOR



CITY CLERK

VOTING YES: Councilman Clement, Councilwoman Gavin, Councilmen Guerrero, Hug, Morris, Mudron, Councilwomen Quillman and Reardon.

VOTING NO: None.

NOT VOTING: Mayor O'Dekirk.
