

CITY OF GILLESPIE

ORDINANCE NO. 2025 7

AN ORDINANCE CONCERNING OPEN BURNING AND RESTRICTIONS THEREOF
WITHIN THE CITY LIMITS OF THE CITY OF GILLESPIE

ADOPTED BY THE
CITY COUNCIL OF THE CITY OF GILLESPIE

THIS ____ DAY OF _____ 2025

Published in pamphlet form by authority of the City Council of the City of Gillespie,
Macoupin County, Illinois this _____ day of _____ 2025.

STATE OF ILLINOIS)
COUNTY OF MACOUPIN)
CITY OF GILLESPIE)

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Ordinance # 2025- 7

**AN ORDINANCE CONCERNING OPEN BURNING AND RESTRICTIONS THEREOF
WITHIN THE CITY LIMITS OF THE CITY OF GILLESPIE**

ON MOTION OF ALDERPERSON _____ SECONDED BY
ALDERPERSON _____ AND AFTER DUE DISCUSSION THE COUNCIL
OF THE CITY OF GILLESPIE, MACOUPIN COUNTY, ILLINOIS, HEREBY ORDAINS THE
FOLLOWING AS AN ENACTMENT OF AN ORDINANCE ON THIS ____ DAY OF
_____ 2025:

WHEREAS, the City of Gillespie is a political subdivision, body politic, and
municipal corporation of the State of Illinois; and

WHEREAS, the City Ordinances previously adopted by the City Council include a
provision related to acts that are determined as public nuisance and then thereafter
prohibited or restricted; and

WHEREAS, the City Council believes that establishing an Ordinance pertaining to
open burning within the City of Gillespie and restrictions thereof would be of a benefit to
the citizens to the City of Gillespie; and

WHEREAS, the City Council hereby adds Section 17-37 to Article 2 concerning
Nuisances within the Code of City Ordinances pertaining to open burning and the
restrictions thereof.

NOW THEREFORE LET IT BE RESOLVED AND ORDAINED AS FOLLOWS:

SECTION 17-37- Open burning and restrictions thereof.

17-37-1 DEFINITIONS Unless the context otherwise requires the words and
phrases herein defined are used in the Article in the sense given them in the following
definitions:

“AGRICULTURAL WASTE” means 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 waste.

“GARBAGE OR HOUSEHOLD TRASH” means refuse resulting from the handling, processing, preparation, cooking and consumption of food or food products; including plastic containers.

“LANDSCAPE WASTE” means 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.

“OPEN BURNING” means 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 of the State of Illinois.

17-37-2 OPEN BURNING PROHIBITED It shall be unlawful to cause or allow open burning of agricultural waste, household trash or garbage.

17-37-3 RESTRICTIONS ON BURNING OF LANDSCAPE WASTE The open burning of landscape waste shall be permitted only on the following conditions:

(A) Landscape waste shall be burned on the premises on which such waste is generated; and

(B) Landscape waste shall be burned only when atmospheric conditions shall readily dissipate contaminants; and,

(C) Landscape waste may be burned only if such burning does not create a visibility hazard on roadways, walkways, or railroad tracks; and,

(D) Open burning of landscape waste may only occur during the daylight hours on the days and times hereinafter allowed, with a person over **eighteen (18) years** of age in attendance during the entire period of burning; and,

(E) No open burning of landscape waste shall be permitted on any streets, city property, or roadways; and,

(F) No open burning shall occur during periods of time when the Fire Chief or the Chief of Police have determined that atmospheric conditions or local circumstances make such fires hazardous and dangerous.

(G) All public burning shall occur between **6:00 a.m.** and **6:00 p.m.** during daylight hours which will vary upon the season of the year and all fires shall be completely extinguished by **6:00 p.m.** during daylight hours or prior to the end of daylight if prior to 6:00 p.m.

(H) No open burning shall occur on Sunday, Monday and Federal Holidays.

(I) No burning is permitted in barrels or any other containers.

(J) All burning shall be conducted on the ground.

17-37-4 All prior Ordinances and/or Resolutions of the City Council of the City of Gillespie limiting and/or defining open burning are hereby revoked.

17-37-5 **PENALTY** Violations of this Ordinance shall be subject to a penalty of not less than \$100.00 nor more than \$250.00 at the Court's discretion. Multiple violations of this Ordinance shall be subject to an enhancement of fines, under existing Ordinances of the City of Gillespie.

PASSED and APPROVED by majority vote of the City Council of the City of Gillespie this _____ day of _____ 2025.

LANDON PETTIT
Mayor of the City of Gillespie

(ATTEST)

TAMMY BEECHLER,
Clerk of the City of Gillespie

APPROVED BY THE FOLLOWING VOTE:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>
Frank Barrett	_____	_____	_____
Robert Fritz	_____	_____	_____
Bill Hayes	_____	_____	_____
David Link	_____	_____	_____
Janet Odell- Mueller	_____	_____	_____
John Quince Halteman IV	_____	_____	_____
Dona Rauzi	_____	_____	_____
Wendy Rolando	_____	_____	_____