

**Village of Royal
Champaign County, Illinois**

Date: September 9, 1991

Ordinance: # 9-A-91

1991 BURNING ORDINANCE

An Ordinance Regulating and Prohibiting the Burning of Various
Materials Within the Village of Royal

WHEREAS, the Village of Royal, Illinois is a municipality consisting primarily of residential properties on single family residential lots in rural Champaign County; and,

WHEREAS, the lots and homes within the Village are located in the close proximity to each other; and,

WHEREAS, the health, safety and welfare of the Village residents is a legal and actual concern of the Board of Trustees of the Village of Royal; and,

WHEREAS, the burning within the Village of certain types of materials under certain circumstances creates a hazard to the health, safety and welfare of Village residents; and,

WHEREAS, the burning of such material under the conditions defined herein constitutes a public nuisance as it creates a risk of fire and resulting damage to the person and property of Village residents, generates smoke which is injurious to the health of person who inhale said smoke, generates smoke which is offensive and irritating to the eyes, nose and lungs of those who are affected by said smoke; and,

WHEREAS, the Village of Royal has determined that it is necessary to regulate such burning and prohibit certain burning for the protection, health, welfare and safety of the residents of the Village of Royal.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ROYAL, ILLINOIS, THAT:

1. No person, firm or corporation shall burn tires or garbage within the Village of Royal, Illinois, Garbage within the meaning of this ordinance means bones, meat, animal skin, feathers, entrails, organs, non-edible animal parts, grease, food and food by-products thereof, coffee grounds, table scraps and similar materials.

2. No person, firm or corporation shall burn leaves, brush, sticks, dried foliage, or other plants within the Village of Royal, unless such material was grown upon or generated from trees, bushes and shrubs growing upon their own property located within the Village of Royal, Illinois.

3. No person, firm or corporation shall burn aerosol containers or any hazardous materials including but not limited to, waste oil, paints and thinners, fertilizers, herbicides, insecticides or any volatile substances.

4. No fire shall be set nor any burning continue except between sunrise and sunset and only when winds, dryness and other weather conditions are such that the fire can be contained, controlled and maintained in a manner that will not be likely to endanger, damage or injure any person, any building or other property.

5. Burning shall be restricted to: at a curbside, in a driveway, or in a burning barrel or other appropriate incinerator. Burning shall be no closer than twenty feet (20') to any building vehicle or other property likely to be endangered thereby unless within a proper incinerator or other secure structure with sufficiently fine lid or other encasement to prevent the escape of ignited particles and a safe distance from all other buildings and structures. All fires shall be attended at all times by the owner or occupant of the property upon which burning is taking place or by other capable persons designated and authorized by such owner or occupant. No burning barrels, incinerators or other containers or structures for the purpose of burning shall be located in the front or side yards.

6. Any person, firm or corporation, whether for ones self or for hire, in the process of raising or new construction of any kind, shall contain all scrap material so as to not jeopardize the health, safety or welfare of residents of Royal, Illinois. Burnable scrap materials may be burned on the construction site if done so within the guidelines of this Ordinance.

7. No person, firm or corporation shall throw, discharge or deposit any garbage or offensive matter, which is the subject to decomposition, except in covered receptacles, which are "Fly Tight" and made of impervious material. Accumulation of garbage or other such offensive material in receptacles shall be placed curbside on the morning of the appropriate day for garbage pick-up.

8. No person, firm or corporation shall cause or permit wastepaper, tin cans or other refuse or rubbish to be scattered about or upon their premise or upon the streets, alleys or other property of the Village. All such rubbish shall be deposited in a suitable metal or fireproof container which shall be emptied or cleaned and the contents disposed of by placement of container at curbside on the morning of the appropriate day for garbage pick-up.

9. Outdoor wood, charcoal or gas fires used for the purpose of cooking food for human consumption shall not be subject to the restrictions provided in this Ordinance.

10. All actions in violation of this Ordinance are hereby determined and defined to constitute a public nuisance and it is in the public interest that such a nuisance be prohibited and if they occur in violation of this Ordinance, that they be abated by the Village through appropriate judicial order.

11. Any person, firm or corporation who violates the terms of this Ordinance shall be punished by a fine of not less than \$25.00 and not more than \$500.00 per violation. Prosecution of violations may be conducted in the name of the Village by Village attorneys in any court having jurisdiction thereof.

12. Any person, firm or corporation charged with a violation of this Ordinance may voluntarily pay such fine as is administratively assessed by the Village and in that event, no judicial proceedings need to be conducted, The Village may also enjoin violations of this Ordinance, in addition to imposing a fine as set forth herein.

13. This ordinance shall be effective on or after its passage and publication as required by law.

THIS ORDINANCE is passed, approved and adopted by a vote of 4 YES, and 0 NO votes, on this 9th day September, 1991.

ATTEST:

APPROVED:

(So Signed)
BEVERLY KNIGHT, VILLAGE CLERK

(So Signed)
ROBERT J. VILVEN, VILLAGE PRESIDENT

This recopied version of the original Ordinance is done so on November 12, 2013. This copy is done for the purpose of electronic transfer, copying or faxing abilities that were not available when the original Ordinance was written. A copy of the original Ordinance may be requested.

Robert J. Vilven,
Village President