



City of Racine, Wisconsin
Agenda Briefing Memorandum
Ordinance 0016-25 – Open Burning

AGENDA DATE:

According to 2026 Budget Consideration Calendar

PREPARED BY: Robin K. Zbikowski, Senior Assistant City Attorney

REVIEWED BY: Scott R. Letteney, City Attorney

SUBJECT: Communication co-sponsored by Mayor Mason and Alder Pabon on behalf of the Racine Fire Department requesting the recreation of the Open Burning Ordinance to regulate all open burning within the city.

BACKGROUND & ANALYSIS:

The proposed Open Burning Ordinance regulates open burning from a single location within the Code, which reduces confusion about the law in this area. Additionally, it is formatted like the newer provisions in the Code to promote uniformity.

This proposed piece of legislation prohibits any open burning within the city's geographical boundaries. However, it also enumerates certain exceptions to this prohibition. Of these is an exception for cooking fires (in grilles and other appliances) and training fires (for the fire department). There is also an exception for recreational fires, which are smaller fires on private property. All recreational fire is subject to certain requirements, including that such is contained in a permanent or portable fire pit, is roofed at all times, is positioned no less than ten feet from another structure or lot line, and that it burns only dry wood, among other requirements.

Under certain circumstances, a person who submits an application and pays a fee may be granted by the Fire Prevention Bureau a bonfire permit or an open burning permit. A bonfire permit allows for a larger fire on private property and an open burning permit allows for a fire on public property (e.g. a beach fire). Both types of open burning are subject to the parameters of the permit and the Code.

A fee accompanies fires by permit in both the existing and the proposed ordinances, and thus there is no budgetary impact pursuant to the proposed ordinance.

RECOMMENDED ACTION: To approve.

FISCAL NOTE & BUDGETARY IMPACT: Bonfire permit fee and open burning permit fee as determined by the budget as set forth in the fee schedule and established by the common council.