

**PAMPHLET CONTAINING
ORDINANCE NO. 2010- 9**

AN ORDINANCE AMENDING ORDINANCE 2008-6 OF THE VILLAGE OF
SHERMAN, ILLINOIS:

OPEN BURNING LANDSCAPE WASTE

This pamphlet published and made available to the
general public on September 21, 2010, by authority of
the Board of Trustees, Village of Sherman, Illinois.

Karen Franklin, Village Clerk

**ORDINANCE AMENDING ORDINANCE NO. 2008-6 OF THE VILLAGE OF
SHERMAN, ILLINOIS
OPEN BURNING LANDSCAPE WASTE**

WHEREAS, the Board of Trustees of the Village of Sherman enacted Ordinance 2008-6 on the 2nd day of September, 2008; and

WHEREAS, said the ordinance may be interpreted to allow the burning of landscape waste dates other than those allowed in Section Two of said ordinance;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Sherman, Illinois as follows:

Section 1:

That Section One of the Ordinance shall be amended to add the following definition:

(c) First Saturday and Sunday of each month shall be defined as the first full weekend of the month in which both the first Saturday and first Sunday occur in the same month.

That Section Two of the Ordinance shall be amended as follows:

The burning of landscape waste shall be allowed within the Village of Sherman from 9:00 a.m. until sunset on each Wednesday and on the first full weekend of the month in which both the first Saturday and first Sunday occur in the same month and the third Saturday and Sunday of each month during the time period March 1st thru April 30th (inclusive) and during the time period September 15th thru November 30th (inclusive) of each calendar year subject to the following restrictions and mandatory conditions precedent to any fire or burning of landscape waste:

Section 2:

All other provisions of Ordinance 2008-6 shall remain in full force and effect except where specifically modified by this ordinance.

Section 3:

All other ordinances and provisions of the Village Code of the Village of Sherman, Illinois in conflict with this ordinance are hereby repealed to the extent of said conflict.

Section 4:

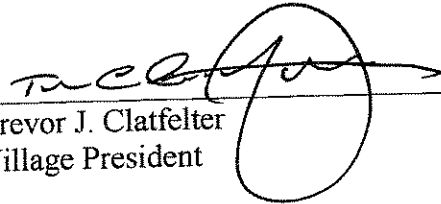
If any part of this ordinance is deemed invalid, the remainder shall nevertheless remain in full force and effect.

Section 5:

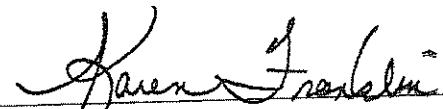
This Ordinance shall be published by the Village Clerk as provided by law and shall take effect ten days after publication.

PASSED by the Board of Trustees of the Village of Sherman, Illinois this 21st day of September, 2010

VILLAGE OF SHERMAN, ILLINOIS

By: 
Trevor J. Clatfelter
Village President

ATTEST:

By: 
Karen Franklin
Village Clerk

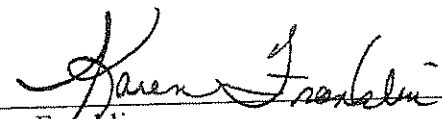
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This ordinance was published in pamphlet form according to the statutes of the State of Illinois on the 21st day of September, 2010


Karen Franklin
Village Clerk

**PAMPHLET CONTAINING
ORDINANCE NO. 2008- 6**

AN ORDINANCE OF THE VILLAGE OF SHERMAN, ILLINOIS:
OPEN BURNING LANDSCAPE WASTE

This pamphlet published and made available to the general public on September 2, 2008, by authority of the Board of Trustees, Village of Sherman, Illinois.

Karen Franklin, Village Clerk

ORDINANCE OF THE VILLAGE OF SHERMAN, ILLINOIS
OPEN BURNING LANDSCAPE WASTE

WHEREAS, the Board of Trustees of the Village of Sherman is in charge of maintaining the health and safety of the general public.

WHEREAS, the Village has reviewed its existing Ordinances regarding the issue of Open Burning Landscape Waste and desire to provide a clean environment for its residents.

WHEREAS, the Village Board has determined that there shall be a total ban of burning of all materials, garbage, grass, litter, recyclable materials and other substances within the Village limits except for Landscape Waste as provided for in this Ordinance.

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF SHERMAN, ILLINOIS, AS FOLLOWS:

Section One. Definitions:

(a) Landscape Waste - Any vegetable or plant refuse, except garbage and agricultural waste. The term includes trees, tree trimmings, branches, stumps, brush, weeds, leaves, shrubbery and yard trimmings. The term specifically excludes grass.

(b) Paved Street - A paved street includes all public right of ways designed for motor vehicle use with surfaces composed of oil and rock, asphalt and rock, rock or concrete, including, but not limited to public alleyways and streets.

Section Two: The burning of landscape waste shall be allowed within the Village of Sherman from 9:00 a.m. until sunset on each Wednesday and on the first and third Saturdays and Sundays of each month during the time period March 1st thru April 30th (inclusive) and during the time period September 15th thru November 30th (inclusive) of each calendar year subject to the following restrictions and mandatory conditions precedent to any fire or burning of landscape waste:

(a) Burning of landscape waste is only permitted when wind air speed is 14 miles per hour or less. Said wind air speed shall be as reported by the National Weather Service at the time of the burning.

(b) Prior to the starting of the fire the landscape waste to be burned shall be dry to touch.

(c) The fire must be supervised at all times by a legally competent adult until completely extinguished.

(d) A water hose must be connected to a water source and shall be accessible to the fire supervisor within 15 feet of the fire.

(e) All coals and ashes must be completely extinguished before the adult supervising the fire may leave the area.

(f) No burning of landscape waste is permitted within 20 feet of any adjoining property owner's or renter's motor vehicle or residence.

(g) The landscape waste shall be burnt on the premises on which such landscape waste is generated.

(h) All burning shall be conducted when atmospheric conditions will readily dissipate contaminants.

(i) No burning may create a visibility hazard on paved streets or railroad tracks.

(j) No burning of landscape waste is permitted on paved streets, public alleyways, public easement or drainage ditches.

(k) No fire may be permitted to smolder after the end time for burning in the Village.

(l) No burning shall be conducted on Veterans Day or Halloween Day.

(m) No burning shall be conducted in burn barrels.

(n) The Village President is authorized to modify the dates set forth above in the event that the President determines that it is necessary in order to allow sufficient time for residents to comply with these restrictions.

Section Three: The restrictions regarding burning contained in this Ordinance shall not apply to the following:

(a) The Village of Sherman and its employees while acting within their scope of employment including the Village of Sherman or any privately owned entity and property in which there is an agreement between the Village of Sherman and such entity.

(b) Outdoor grills while in use for the preparation of food.

(c) Recreational fires built in a fire pit, fire ring or constructed of rocks or other similar non-combustible material. Except that with respect to recreational fires the following restrictions and mandatory conditions precedent to any fire or burning shall apply:

- (i) Fuel for a recreational fire shall consist of seasoned, dry firewood and shall be ignited with paper or kindling;
 - (ii) No flammable or combustible liquids shall be used to start, kindle or rekindle a recreational fire;
 - (iii) The recreational fire must be supervised at all times by a legally competent adult; and
 - (iv) The recreational fire must be completely extinguished prior to the supervising adult leaving the area.
- (d) Any professional 18 hole golf course conducting business within the corporate limits of the Village of Sherman.
- (e) Any fire department or fire protection district serving all or any part of the Village of Sherman.


Section Four: Any burning or fire which continues after weather conditions have changed so that it is no longer appropriate for burning, including, but not limited to when conditions are dry such as that there is a potential fire hazard and/or conditions threaten the safety of others shall be extinguished promptly by the supervising adult.

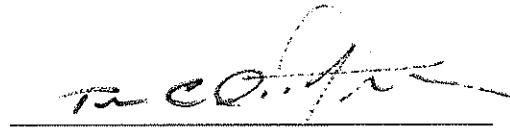
Section Five: Any person or entity violating any provision of this Ordinance shall be subject to a fine or penalty in the sum of \$50.00 for the first violation, \$100.00 for the second violation and \$500.00 for the third and any subsequent violation. Every day that such a violation is continued shall constitute a separate and distinct offense. In addition to such fine or penalty, any person violating any provision of this Ordinance shall also be required to pay all costs of and expenses incurred by the Village of Sherman or any other agency responding to the violation. The Village is hereby authorized to place a lien against the real estate where the violation occurred in the amount of said costs and expenses.

Section Six: All Ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of the conflict. If any part of this Ordinance be held void, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this Ordinance.

Section Seven: This Ordinance shall take effect and be in force from and after its passage and approval as required by law.

PASSED by the Village Board of Trustees of the Village of Sherman, and filed in the office of the Village Clerk of Sherman, Illinois, on the 2nd day of September 2008.


Village Clerk


President of the Board of Trustees
of said Village

PASSED and APPROVED this
2nd day of Sept, 2008.