

**12.01 OFFENSES ENDANGERING PUBLIC SAFETY.**

- (1) **DISCHARGING AND CARRYING FIREARMS AND GUNS PROHIBITED.** (Am. 11/8/11) No person, except a law enforcement officer, shall fire or discharge any firearm, spring or air gun of any description within the Village other than for just cause, in defense of themselves or others. No person shall have any firearm, spring or air gun in their possession or under their control, unless it is unloaded and knocked down or enclosed within a carrying case or other suitable container, or they have a valid concealed weapon permit on their person. This section shall not prevent the maintenance and use of duly supervised rifle or pistol ranges or shooting galleries authorized by the Village Board, or the firing or discharging of BB guns upon private premises by persons over 16 or under direct personal supervision of a parent or guardian. This subsection shall be deemed to prohibit hunting within the Village, provided that the Chief of Police may authorize owners or occupants of private premises to hunt or shoot on such premises if he finds such privileges necessary and subject to such safeguards as he may impose for the safety of the lives and property of other persons within the Village.
- (2) **THROWING OR SHOOTING OF ARROWS, STONES AND OTHER MISSILES PROHIBITED.** No person shall throw or shoot any object, arrow, stone, snowball or other missile or projectile, by hand or by any other means at any other person or at, in or into any building, street, sidewalk, alley, highway, park, playground or other public place within the Village.
- (3) **BURNING OF GRASS AND TRASH RESTRICTED.**
  - (a) **Grass Fire Regulated.** No person shall kindle any grass fire within the Village without first securing a written permit from the Clerk-treasurer who shall issue such permit only upon approval of and subject to any conditions for the protection of life and property imposed by the Fire Chief.
  - (b) **Burning of Refuse and Garbage Prohibited.** The Village Board hereby prohibits the burning of refuse and garbage within the Village limits, effective January 1, 1967.
  - (c) **Open Burning. (Cr. 7-1-97)**
    1. **Open Burning Prohibited.** Except as otherwise provided in this section, all open burning is prohibited within the Village of Luxemburg.
    2. **Recreational Fires.** "Recreational fires", defined as any fire such as camp fire or cooking fire located at a single-family or 2-family private residence for the purpose of recreation and personal

enjoyment, are exempt from subsection (c)1. of this section so long as such fires are started and tended in compliance with the following requirements:

- a. Recreational fires shall follow the guidelines listed in the Village of Luxemburg informational brochure, entitled "Recreational Fire Safety". To have a recreational fire, you must obtain the brochure from the Village Clerk and sign a waiver indicating that all the information is understood and will be complied with prior to having any recreational fire.
  - b. No recreational fire shall be closer than 5 feet from a neighboring property.
  - c. All recreational fires shall be in a below ground fire pit with a maximum depth of 2 feet and diameter of four feet and the fire may not extend more than 2 feet above the pit. The fire pit shall be surrounded on the outside, above ground, by a noncombustible material such as concrete block or rock.
  - d. Portable fire pits (defined as devices commercially designed and intended to contain and control outdoor wood fires) may be used in accordance with the manufacturer's recommendations and within the requirements of b., above, and must be used upon a noncombustible surface (dirt without any vegetation, stone, gravel, concrete, brick, etc.) with an area twice the diameter of the portable fire pit.
3. *Outdoor Cooking Fire.* Open or closed cooking grills (charcoal and propane fuel only) are exempt from the prohibition of subsection (c)1., above, as follows:
- a. For all multifamily dwellings more than one story in height, the use of any propane or charcoal or gas cooking device is prohibited above the first floor occupancy.
  - b. For all multifamily dwellings more than one story in height, the use of any open or closed outdoor cooking fire, charcoal or propane cooking device, or any open flame device, is prohibited within 15 feet of the structure on the ground floor. Smoke from cooking grills shall not create a nuisance for neighboring property owners.
4. *Emergency Power of Fire Chief.* When the Fire Chief determines there are environmental conditions likely to produce a serious threat of fire to life and property, the Fire Chief of the Fire Department may impose a burning ban and burning restrictions and require that no person may:
- a. Set, build, or maintain any open fire, except propane grills, when in the immediate vicinity of a residential dwelling and when placed on a noncombustible surface;

- b. Throw, discard, or drop matches, ashes, or other burning material while outdoors in the immediate vicinity of combustible natural vegetation;
  - c. Light or use any fireworks, as defined per Wisconsin Statutes, or caps, toy snakes, sparklers, smoke bombs, or cylindrical or cone fountains that emit sparks and smoke except in displays or use authorized by the Fire Department where adequate fire prevention measures have been taken.
  - d. Such a ban described above shall be lifted when the environmental conditions change so that a serious threat of fire is no longer present.
5. *Citations.* Citations may be issued for failure to comply with regulations as follows: 1st Violation - Verbal warning; 2nd Violation - \$50; 3rd Violation - \$100 and your waiver will be void.

(4) SALE AND DISCHARGE OF FIREWORKS RESTRICTED.

- (a) Private Use and Sale. (Am. 9-2-03) No person shall sell, expose or offer for sale, use, keep, discharge or explode any fireworks, except toy pistol paper caps, sparklers and toy snakes within the limits of the Village unless he shall be authorized by a fireworks permit as hereinafter provided. The application for a fireworks permit must be submitted to the Village Clerk not less than 45 days prior to the proposed selling date. A fee of \$50 will be due at the time of application. The application for a permit must be approved by the Village Board. Permits will be issued for a period of one year. The term "fireworks," as used in this section, shall be defined as provided in §167.10(1), Wis. Stats., and shall be deemed to include all rockets or similar missiles containing explosive fuel.



RECREATIONAL FIRE WAIVER

I, the undersigned, have received and read the brochure "Recreational Fire Safety Requirements" explaining the regulations for having a recreational fire on my property in the Village of Luxemburg. In signing this waiver, I have agreed to comply with all of those requirements for having a recreational fire. I understand that failure to comply may result in a municipal citation and fine from the Village of Luxemburg and forfeiture of any recreational fire permits on my property for two years.

This waiver does not have to be submitted annually. However, if you no longer wish to have a recreational fire pit you must contact the Village Clerk and indicate you wish to have your site removed from the records.

Date: \_\_\_\_\_

Address: \_\_\_\_\_

**Property Owner (Print Name):** \_\_\_\_\_

Signature: \_\_\_\_\_

Telephone #: \_\_\_\_\_

**Renter/Lessee (Print Name):** \_\_\_\_\_

Signature: \_\_\_\_\_

Telephone #: \_\_\_\_\_

Authorized by: \_\_\_\_\_

