

## **OPEN BURNING LAWS OF THE VILLAGE OF ADDISON (LOCAL LAW #1-2001)**

### **ARTICLE 1. Burning of certain items prohibited.**

No person shall burn, allow or permit to be burned outside of a building any brush, lumber, paper products, plastic, tires, chemicals, trash, garbage, refuse, wood or other related items in the Village of Addison.

### **ARTICLE II. Outdoor grills, Enclosed Incinerators.**

- 1) Nothing contained herein, however, shall prevent the operation of outdoor grills or fireplaces for the preparation of food.
- 2) Burning barrels or any other similar device are specifically and strictly prohibited.
- 3) Nothing contained herein shall prevent a controlled open burning for educational purposes subject to the approval of the Addison Volunteer Fire Department.

### **ARTICLE 111. Burning by Fire District.**

The Village Board may authorize the Village of Addison Fire Department to burn structures, lumber, brush or other items, provided that all permits required by the Health Department or the New York State Department of Environmental Conservation are obtained and complied with.

### **ARTICLE IV. Enforcement; Appearance Tickets.**

1. In addition to his other respective duties and powers, the Code Enforcement Officer of the Village of Addison is hereby authorized and empowered to enforce any statute, local law, ordinance, rule or regulations relating to outdoor burning.
2. In accordance with Municipal Home Rule Law § 10, Subdivision 3, the Code Enforcement Officer of the Village of Addison shall have the power to issue and serve appearance tickets in connection with the performance of his respective duties in enforcing any statute, local law, ordinance, rule or regulation relating to outdoor burning. The issuance and service of appearance tickets by the Code Enforcement Officer of the Village of Addison shall have the same force and effect as if served by a peace officer.
3. Appearance tickets shall be of a form and content acceptable under, and shall be issued in accordance with, Article 150 of the Criminal Procedure Law of the State of New York.

### **ARTICLE V. Penalties for Offenses.**

Every person convicted of violating any provision of this section shall be guilty of a violation punishable as follows: by a fine of not more than two hundred fifty dollars (\$250.00) or by imprisonment for not more than fifteen (15) days, or by both such fine and imprisonment. The continuation of an offense against the provisions of this section shall constitute, for each day the offense is continued, a separate and distinct violation hereunder.

### **ARTICLE VI. Effective Date.**

This local law shall take effect upon filing with the Secretary of State.