

TOWN OF BRIDGEWATER
OPEN BURNING ORDINANCE

The Fire Warden, Deputy Fire Warden or designee for, may grant a specific permit for an individual to engage in open burning wherein the fire officer is satisfied that:

Article 1. OPEN BURNING

No hazardous condition will be created by such burning and the emission of air contaminants will not create a danger to the health and property of the citizens of the town.

Except as otherwise provided in this section, a person shall not kindle or authorize another to kindle a fire in open air for the purpose of burning brush, weeds, grass or rubbish of any kind except where there is snow on the site, without first obtaining permission from the fire warden, deputy warden or approved designee.

No plywood composite materials, pressure treated materials or other materials are to be burned. Burning permits are available to burn only brush, leaves, grass and downed trees too large to be chipped.

Permits that are issued by the provisions of this article shall be for specified days and location and for a specified material. The fire warden may set the hours within which said burning may take place and record said hours on the permit. The fire must remain under control of the responsible party. The Fire Warden, Designee or Fire Department may require the fire to be extinguished if, in their judgment, the fire or the conditions under which the burning occurs threatens the safety of property around the fire.

Open burning may commence no earlier than one-half hour after sunrise on each day and all burning must be extinguished by one-half hour before sunset on each day.

Article 2. PENALTY

Failure to comply with any section, article or portion of this policy will be a violation and the following penalties may be assessed for all municipal complaints:

First offense.....	\$ 25.00
Second offense.....	50.00
Third and subsequent offenses.....	75.00

The summons and complaint shall be a form known as the “municipal complaint”. The issuing municipal official shall sign the complaint. The original complaint shall be filed with at the Town Office, a copy shall be retained by the issuing municipal official and a copy given to the property owner. The complaint shall contain a description of the alleged violation, the amount of the penalty, name of landowner and if different the name in which the permit was issued. If a person other than a land owner commits a violation of this ordinance, that person shall be subject to prosecution.

If the assessed penalty is not paid within 20 days, the municipality may bring civil action against the alleged violator.

Article 3. DEFINITIONS

As used in this article, the following terms shall have the meaning ascribed to them:

Air Contaminants shall mean dust, toxic fumes, mist, smoke, other particulate matter, vapor, gas, odorous substances or any combination thereof.

Emission shall mean a release into the outdoor atmosphere of air contaminants.

Fire Department shall mean Bridgewater Volunteer Fire Department.

Fuel shall mean any form of combustible matter, solid, liquid or gas used to produce heat, light or power by burning. Fuel includes, but is not limited to, Coals, coke, charcoal, natural gas, propane, gas, fuel oil and wood.

Municipality shall mean Town of Bridgewater.

Open burning shall mean burning that takes place other than in commercial or industrial or residential heating systems, commercial/industrial or residential cooking systems, or burning authorized by specific permit.

Article 4. SEVERABILITY

If any section, subsection, sentence, clause, phrase or portion of this article is for any reason held invalid by any court of competent jurisdiction, said portion shall be deemed as a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of the article.

This Ordinance adopted at Bridgewater the 24th day of October AD 2000.

Posted and Published November 2, 2000 in the following places:

Vermont Standard (newspaper)
Town Clerk's Office
Bridgewater Post Office
Bridgewater Corners Post Office
Skip's General Store
Bear Mountain Grocery

Effective Date: the 23rd day of December AD 2000

Town of Bridgewater Selectboard:

Nelson B. Lee, Jr.
Stephen Tarleton, Sr
Thomas Zuba