

TOWN OF HARWINTON
ORDINANCE AMENDING THE "OPEN BURNING ORDINANCE"
(Ordinance 93, as amended by Ordinance 100)

Section 1. Pursuant to the provisions of §§ 7-148(c)(7)(E) and (H) and 22a-174 of the General Statutes of the State of Connecticut, the Town of Harwinton hereby amends the "Open Burning Ordinance" (93), as previously amended by the "Ordinance Amending the 'Open Burning' Ordinance" (100).

Section 2. Section 1.2 of the Ordinance, concerning "Open Air Burning Permit Requirements" is amended to state:

"§1.2 Open Air Burning Permit Requirement"

No person shall set, cause, or allow to be set or caused, an open-air fire without obtaining an open-air burning permit from the Commissioner, Open Burning Official, or Fire Marshal, unless exempt from the provisions of this ordinance as specified in §1.3 below. The applicant for an open-air burning permit shall complete an application on form(s) provided by the Commissioner, Open Burning Official, or Fire Marshal which shall include a description of the purpose of the fire, the nature and quantity of the material to be burned, time and date of the fire, and any other information required by the Commissioner, Open Burning Official, or Fire Marshal."

Section 1.6 of the Ordinance, concerning "Restrictions and Prohibitions on Burning", is amended, in part, as follows:

"§1.6 Restrictions and Prohibitions on Burning"

Open air burning permits shall not be issued when the Open Burning Official, Commissioner, or Fire Marshal determines that:" ...

Section 1.6, paragraphs A through H are unchanged.

Section 1.6, "Restrictions and Prohibitions on Burning", is hereby amended to add subsection "I", an additional prohibition on open burning:

"I. Open burning will not be allowed to take place between 12:01 a.m. on June 1 through 11:59 P.M. on September 30."

Section 1.7, concerning "Permit Regulations and Standards", paragraph 4, is amended to state:

- “4. The Open Burning Official, Commissioner, or Fire Marshal may revoke, by oral or written notice, an open-air burning permit by notification of Litchfield County Dispatch Center if one of the conditions, restrictions, or prohibitions specified under §1.6 becomes applicable after such permit is issued.”

Section 1.7, concerning “Permit Regulations and Standards”, paragraph 7, is amended to state:

- “7. Prior to burning, the permittee shall call the Open Burning Official or Fire Marshal on the day of intended burning to ask whether the permit has been revoked.”

Section 1.8 of the Ordinance, concerning “Penalties” is amended to state:

“§1.8 Penalties”

Any person who violates any provision of this ordinance shall be fined \$100.00 for the first offense and not more than the maximum allowed by law for each subsequent offense. The Commissioner, Open Burning Official, and Fire Marshal jointly and severally have the authority to enforce this provision including the assessment of any fine(s). In cases where any person, corporation, or other party continues unlawful burning despite assessment of fines, the Town may enforce this ordinance by any other legal and equitable remedies available to it.”

Section 3. This ordinance shall become effective fifteen (15) days after publication of a summary of its provisions in a newspaper having circulation in Town, as provided in Section 7-157(b) of the General Statutes.

Adopted by town meeting on December 6, 2022.

Published in the Republican American on December 10, 2022.

Effective date: December 24, 2022

Recorded in the Harwinton Town Records: Vol. 9, Pg. 218.