
**VILLAGE OF SUGAR GROVE
BOARD REPORT**

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
FROM: PATRICK J. ROLLINS, CHIEF OF POLICE
SUBJECT: ORDINANCE: REPEALING THE EXCEPTION TO OPEN BURNING OF LEAVES, DISEASED TREES, AND TREE DEBRIS TITLE 4, CHAPTER 6, SECTION 3 -EXEPTION: SUB-SECTION "F"
AGENDA: April 16, 2024
DATE: April 9, 2024

ISSUE

Should the Village Board repeal the Village Ordinance regarding Open Burning of Leaves, Diseased Trees, and Tree Debris under Title 4 (Public Health and Safety) Chapter 6 (Open Burning) Section 3 -Exceptions: Sub-Section "F" in its entirety.

DISCUSSION

Staff presented the topic of Open Burning at the past two Board Meetings (March 19, and the April 9, 2024). The Board heard the public health and safety component caused by open burning and the aftereffects unintentional by neighbors burning leaves with the smoke and smell permeating into neighborhood homes. The Board also heard about health conditions of residents with Asthma to COPD and other health ailments, trapping them inside their own homes until the conditions improve to go outside or run errands. The Village years ago, negotiated with the yard waste collection company current rates that specifically permit residents to put out as many lawn bags or designated yard collection cans without having to place a sticker on each bag or can.

Based on the Board's discussion, staff was advised to bring back this item at the next board meeting for banning (by removing the allowable listed exception as listed in the Village's Code of Ordinance.)

6-4-3: Exceptions, Sub-Section "F", "1" through "10"

~~F. Leaves, diseased trees, and tree debris only may be burned on the premises on which they are generated provided:~~

~~1. Burning occurs between the hours of ten o'clock (10:00) A.M. and three o'clock (3:00) P.M.~~

~~2. Burning must be completely extinguished after three o'clock (3:00) P.M., or if not attended.~~

~~3. Wind velocity must be less than ten (10) miles per hour.~~

~~4. Only on sunny days.~~

- ~~5. No burning during inversion conditions or ozone alert day.~~
- ~~6. Only dry materials.~~
- ~~7. Any burning must be supervised at all times by an adult until the fire is extinguished.~~
- ~~8. A fire extinguisher, garden hose or water source must be available within ten feet (10'), of the burning material.~~
- ~~9. No open burning may be maintained upon any public right-of-way in the Village whether it be street, alley, parkway, or any other area within such public right-of-way.~~
- ~~10. Burning must be maintained a distance of not less than twenty feet (20') from any such right-of-way, structure, or property line.~~



COST

No cost at this time.

RECOMMENDATION – The Village Board by ordinance repeal Open Burning of Leaves, Diseased Trees or Tree Debris as an exception, Title 4, Chapter 6, Section 3 under Exceptions: sub-section “F” in its entirety -1 through 10. (ordinance 2024-0416PD)



**VILLAGE OF SUGAR GROVE
KANE COUNTY, ILLINOIS**

Ordinance No. 2024- 0416PD

**An Ordinance Repealing Title 4 - Chapter 6 of the Village Code of Ordinances
(OPEN BURNING- REMOVING EXCEPTION “F” BURNING OF LEAVES,
DISEASED TREE, AND TREE DEBRIS)**

Village of Sugar Grove, Kane County, Illinois

Adopted by the
Board of Trustees and President
of the Village of Sugar Grove
this 16th day of April 2024.

Published in Pamphlet Form
by authority of the Board of Trustees
of the Village of Sugar Grove, Kane County,
Illinois, this 16th day of April 2024.

ORDINANCE NO. 2024-0416PD_____

**An Ordinance Repealing Title 4 – Chapter 6 of the Village Code of Ordinances
(4-6-3 OPEN BURNING EXCEPTION “F”)**

Village of Sugar Grove, Kane County, Illinois

BE IT ORDAINED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, as follows;

WHEREAS, the Village of Sugar Grove (“Village”) is not a home rule municipality within Article VII, Section 6A of the Illinois Constitution, and accordingly, seeks to act pursuant to the powers granted to it under 65 ILCS 5/1-1 *et seq.*; and,

WHEREAS, the Village deems it necessary and proper to amend its regulations by repealing the current provisions and replacing the chapter in its entirety.

NOW, THEREFORE, be it ordained by the corporate authorities of the Village of Sugar Grove as follows.

SECTION 1: TITLE 4 – CHAPTER 6 – Exception “F” to Open Burning REPEALED

The following provisions of the Village of Sugar Grove Code of Ordinances shall be repealed in their entirety:

6-4-3: Exceptions, Sub-Section “F”, “1” through “10”

~~—F. Leaves, diseased trees, and tree debris only may be burned on the premises on which they are generated provided:~~

~~—1. Burning occurs between the hours of ten o'clock (10:00) A.M. and three o'clock (3:00) P.M.~~

~~—2. Burning must be completely extinguished after three o'clock (3:00) P.M., or if not attended.~~

~~—3. Wind velocity must be less than ten (10) miles per hour.~~

~~—4. Only on sunny days.~~

~~—5. No burning during inversion conditions or ozone alert day.~~

~~—6. Only dry materials.~~

~~—7. Any burning must be supervised at all times by an adult until the fire is extinguished.~~

~~—8. A fire extinguisher, garden hose or water source must be available within ten feet (10'), of the burning material.~~

~~—9. No open burning may be maintained upon any public right-of-way in the Village whether~~

~~it be street, alley, parkway, or any other area within such public right of way.~~

~~—10. Burning must be maintained a distance of not less than twenty feet (20') from any such right of way, structure, or property line.~~

Any provision not specifically enumerated herein shall remain in full force and effect.

SECTION TWO: GENERAL PROVISIONS

REPEALER: All ordinances or portions thereof in conflict with this Ordinance are hereby repealed.

SEVERABILITY: Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction; the remaining provisions will remain in full force and effect the same as if the invalid provision had not been a part of this Ordinance.

EFFECTIVE DATE: This Ordinance shall be in full force and effect on and after its approval, passage and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, this 16th day of April 16, 2024.

Jennifer Konen
President of the Board of Trustees
of the Village of Sugar Grove, Kane
County, Illinois

ATTEST: _____
Tracey Conti
Clerk, Village of Sugar Grove

	Aye	Nay	Absent	Abstain
Trustee Heidi Lendi	_____	_____	_____	_____
Trustee Matt Bonnie	_____	_____	_____	_____
Trustee Sean Herron	_____	_____	_____	_____
Trustee James White	_____	_____	_____	_____
Trustee Sean Michels	_____	_____	_____	_____
Trustee Michael Schomas	_____	_____	_____	_____
Village President Jennifer Konen	_____	_____	_____	_____