
VILLAGE OF SUGAR GROVE BOARD REPORT

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
FROM: PATRICK J. ROLLINS, CHIEF OF POLICE
SUBJECT: ORDINANCE: AMENDING TITLE 4 CHAPTER 6 OPEN BURNING, PROHIBITION (4-6-2) BY ADDING THE WORD, LEAVES
AGENDA: JUNE 18, 2024
DATE: JUNE 11, 2024

ISSUE

Should the Village Board amend Title 4 Chapter 6- Open Burning by adding the word, "leaves" to the existing prohibition list in 4-6-2.

DISCUSSION

The Village Board at their April 16, 2024, Board Meeting, amended the Open Burning Village Code by not permitting the burning of leaves, by authorizing the removal of subsection "F" of the Exceptions list under 4-6-3.

- ~~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.~~

Repealing the above section, removed any reference in the Code regarding leaves with open burning. The Code under 4-6-2 has a list of prohibited items (not all inclusive) that would be in violation, if burned.

Current language:

4-6-2: OPEN BURNING PROHIBITION:

Burning and open fires of any combustible materials, including, but not limited to paper, treated building materials, cardboard, grass, rags, garbage, garden trash and/or any other similar materials, of whatever type and kind within the Village limits are prohibited with only certain limited exceptions as set forth in this chapter. (Ord. 2019-08-20A, 8-20-2019)

Staff has been working on material for promoting to the community messaging that does not permit the burning of leaves. Staff recommends that the proposed language below would best clarify for those who research our Code, the village's stance on burning leaves. As the Village recently amended the Code to remove "F" in its entirety, it is now somewhat silent on leaf burning, and thus the need to have specific reference to it in the prohibition section.

New Proposed language: (adding the word "leaves")

4-6-2: OPEN BURNING PROHIBITION:

Burning and open fires of any combustible materials, including, but not limited to paper, treated building materials, cardboard, grass, **leaves**, rags, garbage, garden trash and/or any other similar materials, of whatever type and kind within the Village limits are prohibited with only certain limited exceptions as set forth in this chapter.

COST

Anticipated costs for attorney review of the ordinance is approximately \$250.

RECOMMENDATION – That the Village Board by ordinance (2024-0618PD) amend Title 4 Chapter 6 of the Code of Ordinances adding the word, "leaves" to the other listed items spelled out in the prohibition section (4-6-2).



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

Ordinance No. 2024- 0618PD

**An Ordinance Amending Title 4 - Chapter 6 of the Village Code of Ordinances
(OPEN BURNING- Adding the word “leaves” to the prohibition items listed under 4-6-2)**

Village of Sugar Grove, Kane County, Illinois

Adopted by the
Board of Trustees and President
of the Village of Sugar Grove
this 18th day of June 2024.

Published in Pamphlet Form
by authority of the Board of Trustees
of the Village of Sugar Grove, Kane County,
Illinois, this 18th day of June 2024.

ORDINANCE NO. 2024-0618PD

**An Ordinance Amending Title 4 – Chapter 6 of the Village Code of Ordinances
(4-6-2 OPEN BURNING adding the word “leaves” to the prohibition list)**

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 amending the current provisions and add the word, “leaves” to the items prohibited under Open Burning 4-6-2, Open Burning Prohibition.

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

SECTION 1: TITLE 4 – CHAPTER 6 – Amend 4-6-2

The following provisions of the Village of Sugar Grove Code of Ordinances shall be amended:

4-6-2: OPEN BURNING PROHIBITION

4-6-2: OPEN BURNING PROHIBITION:

Burning and open fires of any combustible materials, including, but not limited to paper, treated building materials, cardboard, grass, **leaves**, rags, garbage, garden trash and/or any other similar materials, of whatever type and kind within the Village limits are prohibited with only certain limited exceptions as set forth in this chapter.

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 18th day of June 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	_____	_____	_____	_____