

VILLAGE NEWS

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VILLAGE OF ALBANY NEWSLETTER

August 2017

Volume 62

Hi! Remember us? It has been a while since we last sent out a newsletter – and to those of you who enjoyed these, we apologize. And to those of you who didn't, you're welcome for the break! ☺ Anyway, we're hoping to get back into the habit of sending out newsletters to keep you as up to date with things as possible. We are trying to keep up with information on our web site, however the past several weeks we have been out of commission as far as updating it. We should be back in full service in one week, so you can start checking it again (albanywi.org). The main reason we are sending one out at this time is to make you all aware of a

meeting that is coming up on Tuesday, August 29th that may be of interest to many of you. It is in regards to the possibility of changing the ordinances for allowing burning in the village limits. There are several opinions regarding this, so the board is anxious to gather some opinions of the residents of our village before making any final decisions. Later in this newsletter, we have a copy of the existing burning ordinance and a copy of the suggested ordinance for your review. We will then ask you to either attend the meeting (information below), send an email to the village (VillageClerk@albanywi.org), write a letter to mail (206 North Water Street), or drop it off at the village hall.

This meeting is going to be a Special Village Board meeting and will be held on Tuesday, August 29th in the Albany Village Hall located at 206 North Water Street. Starting time is 6:30 p.m. *And thanks for any input you can give!!!*



Current Ordinance:

ORDINANCE 01-03

ORDINANCE TO AMEND PORTIONS OF VILLAGE

ORDINANCE 33-9:

OPEN BURNING

THE VILLAGE BOARD of the Village of Albany do ordain as follows:

SECTION I: Section 33-9 of the Code of Ordinances, Village of Albany, Wisconsin is amended to read as follows (in it's entirety):

33-9. Open burning.

- A. Open burning prohibited. No person, firm or corporation shall build any outdoor fire within the corporate limits of the Village of Albany excepting as set forth in Subsection B.
- B. This prohibition on burning includes burning of construction waste and debris at construction sites.
- B. Exceptions.
 - (1) Burning of small amounts of dry combustible rubbish (not to include wet combustible rubbish, garbage, oily substances, asphalt, plastic or rubber products) in single-family residences during the hours of 6:00 a.m. to 6:00 p.m. on Monday through Friday; 6:00 a.m. to 1:00 p.m. on Saturdays and Sundays. No flame or smoke is allowed after the ending time of each day. Burning of nonoffensive materials in a wire refuse burner, basket or metal enclosure with a cover attached to prevent the escape of sparks and burning materials, located a minimum of 25 feet from a building; only one burner is permitted per lot.
 - (2) Controlled burning of small amounts of dry leaves and dry plant clippings; burning of dry trees, wood, brush or demolition materials (excluding

asphaltic or rubber materials) by such methods as approved by the Department of Natural Resources is allowed only during daylight hours.

- (3) Fires set for practice and instruction of firemen or testing of fire-fighting equipment.
- (4) Backfires to control forest fires or fires set for forest or wildlife habitat management with approval of the Department of Natural Resources where no reasonable alternative is available.
- (5) Outdoor fires for cooking, ceremonies or recreation.
- (6) Small open flames for welding, acetylene torches, safety flares, heating tar or similar applications.
- C. Open burning procedures. All allowed open burning shall be conducted in a safe pollution-free manner, when wind and weather conditions are such as to minimize adverse effects and in conformance with local and state fire protection regulations.
- D. Chief may prohibit. The Fire Chief is permitted to prohibit any or all bonfires and outdoor fires when atmospheric conditions or local circumstances make such fires hazardous.
- E. Burning on streets. No materials may be burned upon any street, curb, gutter or sidewalk.
- F. Liability. Any person utilizing and maintaining an outdoor fire shall be responsible for any liability resulting from damage caused by his fire.
- G. Penalties. Any person who is in violation of this second will be subject to the General Penalty found in Chapter 1, General Provisions, Section 1-19.

SECTION II: This ordinance shall be in full force the day following it's passage and official posting.

Dated this 12th day of May, 2003.

FALL ACCEPTANCE DAY

The Fall Acceptance Day has been set for Saturday, October 14th from 8:00 a.m. to 3:00 p.m. As before, residents are allowed to bring large items down to the Recycling Center located at 500 Briggs Drive. Please keep steel and metal separate. If something will fit into a yellow bag, it must be placed in one. However if you have larger items, other than Freon appliances or tires, then you do not have to pay for them. If you have further questions, you can either ask those great fellas at the Recycling Center or call the Village hall at 862-3240.



SNOW PARKING

Yeah, let's not think of this right now, but this is just a reminder when the snow begins to fly, that there is NO parking on the streets after a one inch snowfall. After all streets have been cleared off, you can park on them again. But, not until they have been cleaned all the way to the curb.

VILLAGE OFFICE CLOSURES

The Village Office will be closed on the following days for the holidays:

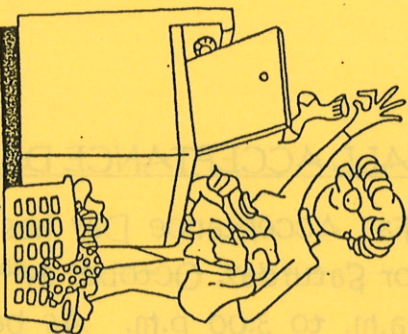
Monday, September 4, Thursday November 23 and Friday November 24, Friday December 22 – close at noon, and Monday, December 25. Happy Holidays!



DOGS IN THE VILLAGE

Please please please remember, dog owners, that your pets are not allowed to run free in the village. All dogs must be under the control of their owner or whoever is responsible for them. We cannot just allow them to run wherever they want to go. Some people are not comfortable around dogs, and it can be very scary for them. Also, this also allows the dog to use any area that they want as a bathroom, which is not appreciated by the rest of the people. If you are walking your dogs, make sure that you carry something to pick up and dispose of any feces that they may leave. Be considerate of other people's property and public property is used by everyone, and they surely don't appreciate stepping in a mess! Also, make sure that your dog is not barking and bothering your neighbors. Dogs are a really great addition to your family, but they can be a bit of a nuisance to others. Let's keep them safe and also keep peace with your neighbors. *Thanks!*

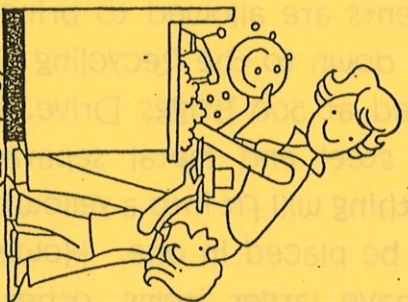
WATER SAVER'S GUIDE*



(5-6 CF)

WASHING MACHINE

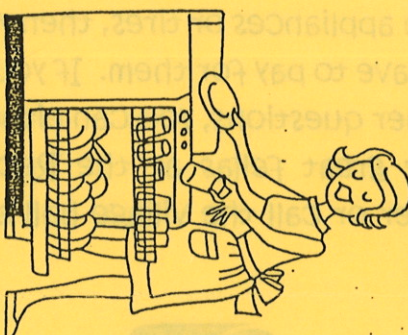
40 to 45 gallons usually; some up to 60 gallons. Wash only full loads; the more clothes, the less water.



(3-4 CF)

HAND DISHWASHING

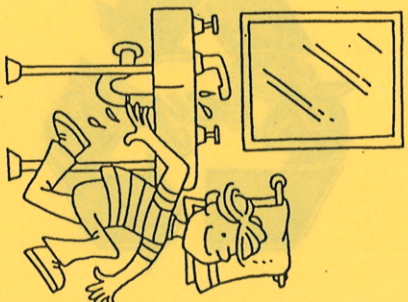
25 gallons with tap running half open, 18 minutes. 5 gallons washing and rinsing in sink or dishpan.



(1-2 CF)

AUTOMATIC DISHWASHER

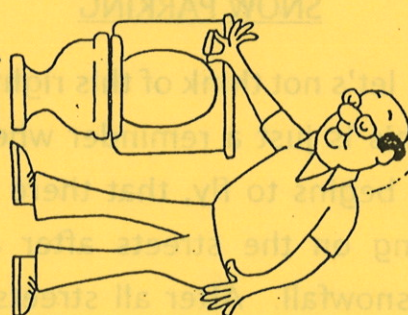
11 to 14 gallons full cycle; 8 to 9 gallons short cycle. Accumulate dishes, run only when full.



(2-3 CF)

FAUCET DRIPPING

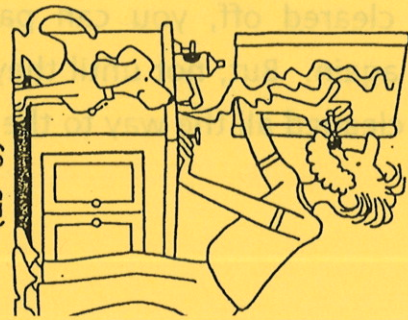
15 to 21 gallons per day. It's easy to put in a new faucet washer and it costs just a few cents.



(1 CF)

TOILET

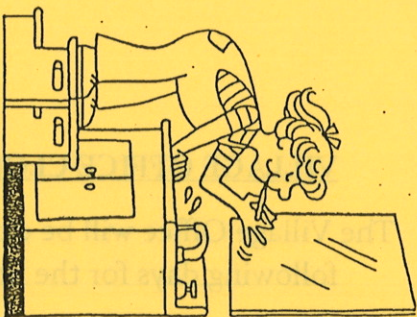
5 to 7 gallons per flush. Save 1 gallon by placing a brick in the tank. Flush only when necessary.



(2 CF)

SHAVING

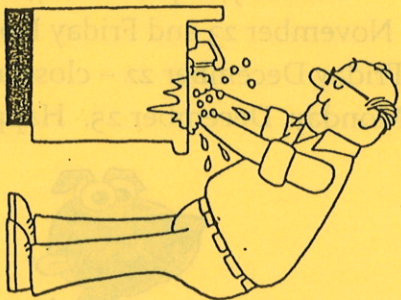
15 gallons for a 10-minute shave with tap running. Fill basin and shave: 1 gallon



(1 CF)

BRUSHING TEETH

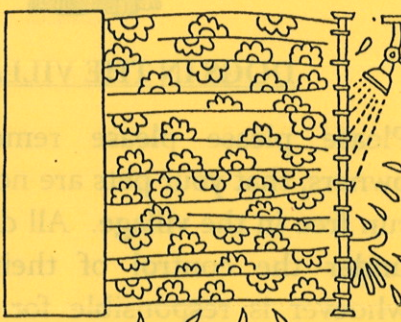
7.5 gallons for 3 minutes of brushing with water running. Wet brush, turn off water, brush teeth, then rinse: 1 1/2 gallon.



(1.5 CF)

WASHING HANDS

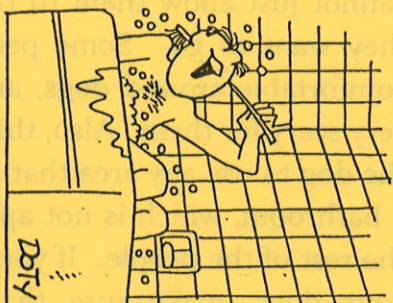
1.5 gallons for a one-minute wash. Wash hands with moist towlettes in kitchen and bathroom, save water by the gallon.



(1-2 CF)

SHOWER

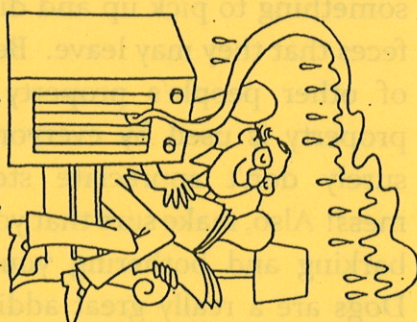
12 gallons per minute. With flow restrictor: 3 gallons per minute. To cut down even more, wet down, soap up, rinse off.



(4-5 CF)

BATH

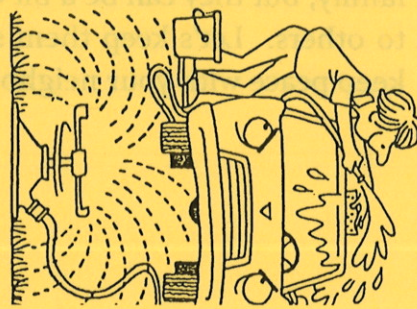
36 gallons full tub: 1/3 full still gets you clean. Make sure drain is closed before turning water on.



(1-3 CF)

HOME HUMIDIFIER

5 to 23 gallons per day, depending on size, if attached to forced air furnace. Free standing console type: up to 12 gallons per day used.



NO-NO'S

Hose 5/8" diameter 3-1/3 gallons per minute, 200 gallons an hour. Sprinkler: 1" water 3,000 square feet of lawn 1,850 gallons.

PROPOSED ORDINANCE:

Outdoor and Refuse Burning Ordinance for the Village of Albany, Wisconsin.

Ordinance No. 33.9

SECTION 1: PURPOSE

1.0 Purpose.

- 1.1 This ordinance is intended to safeguard the health, comfort, living conditions, safety and welfare of the citizens of the Village of Albany, Green County, Wisconsin due to the air pollution and fire hazards of open burning and refuse burning.
- 1.2 Open air burning of trash, including the use of burn barrels, is a known health hazard. The outside burning of anything except clean (untreated) wood is often believed to be a convenient and cost effective way to remove refuse of any kind from an individual's property. However, even limited use of open air burning can cause emission of mercury, dioxins and arsenic into the ground, air and local water. On average, twenty-one households that burn trash daily release the same amount of pollutants as a standard (200 ton/day) municipal waste incinerator.¹ Open burning is the largest contributor of dioxin exposure in food in the United States.² Many of the compounds released during open burning are causal agents of bladder, lung, liver and skin cancers.³ In children, the pollutants found in "burn barrels" are causally linked with neurological disorders, immune system effects and endocrine disruption.⁴ Open burning also increases the number of particulates in the air, which are known to cause immediate reactions such as an asthma attack and/or long term damage to the lungs such as COPD.⁵

1 Lemieux PM, Lutes CC, Abbott JA, Aldous KM. *Emissions of polychlorinated dibenzo-p-dioxins and polychlorinated dibenzofurans from the open burning of household waste in barrels*. Environmental Science & Technology, web release date January 4, 2000.

2 Committee on the implications of dioxin in the food supply, natural resource council. *Dioxins and dioxin-like compounds in the food supply: strategies to decrease exposure*. National Academies Press (2003).

3 Siemiatycki J et al. *Listing occupational carcinogens*. Environmental Health Perspectives. 112: 1447-1459 (2004).

4 Chance GW. *Environmental contaminants and children's health: cause for concern, time for action*. Paediatrics Child Health 6(10): 731-743 (2001).

5 Penn A, Murphy G, Barker S, Henk W, Penn L. *Combustion-derived ultrafine particles transport organic toxicants to target respiratory cells*. Environmental Health Perspectives. 113:956-963 (2005).

SECTION 2: APPLICABILITY

2.00 **Applicability.** This ordinance applies to all outdoor burning and refuse burning within the Village of Albany.

- 2.1. This ordinance does not apply to grilling or cooking using charcoal, wood, propane or natural gas in cooking or grilling appliances.
- 2.2. This ordinance does not apply to burning in a stove, furnace, fireplace or other heating device within a building used for human or animal habitation unless the material being burned includes refuse as defined in Section 4 of this ordinance.
- 2.3. This ordinance does not apply to the use of propane, acetylene, natural gas, gasoline or kerosene in a device intended for heating, construction or maintenance activities.

SECTION 3: SEVERABILITY

3.00 **Severability.** Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

SECTION 4: DEFINITIONS

4.00 Definitions.

- 4.1. "Campfire" means a small outdoor fire intended for recreation or cooking not including a fire intended for disposal of waste wood or refuse.
- 4.2. "Clean Wood" means natural wood which has not been painted, varnished or coated with a similar material has not been pressure treated with preservatives and does not contain resins or glues as in plywood or other composite wood products.
- 4.3. "Confidential papers" means printed material containing personal identification or financial information that the owner wishes to destroy.
- 4.4. "Fire Chief" means the Chief of the Albany Fire Department or other person authorized by the Fire Chief.
- 4.5. "Outdoor Burning" means open burning or burning in an outdoor wood-fired furnace.
- 4.6. "Open Burning" means kindling or maintaining a fire where the products of combustion are emitted directly into the ambient air without passing through a stack or a chimney.
- 4.7. "Outdoor Wood-fired Furnace" means a wood-fired furnace, stove or boiler that is not located within a building intended for habitation by humans or domestic animals.
- 4.8. "Refuse" means any waste material except cleanwood.

SECTION 5: GENERAL PROHIBITION ON OPEN BURNING, OUTDOOR BURNING AND REFUSE BURNING

5.00 General prohibition on outdoor burning and refuse burning. Open burning, outdoor burning and refuse burning are prohibited in the Village of Albany unless the burning is specifically permitted by this ordinance.

SECTION 6: MATERIALS THAT MAY NOT BE BURNED

6.00 Materials that may not be burned.

- 6.10** Unless a specific written approval has been obtained from the Department of Natural Resources, the following materials may not be burned in an open fire, incinerator, burn barrel, furnace, stove or any other indoor or outdoor incineration or heating device.
- 6.11.** Rubbish or garbage including but not limited to food wastes, food wraps, packaging, animal carcasses, paint or painted materials, furniture, composite shingles, construction or demolition debris or other household or business wastes.
- 6.12.** Waste oil or other oily wastes except used oil burned in a heating device for energy recovery subject to the restrictions in Chapter NR 590, Wisconsin Administrative Code.
- 6.13.** Asphalt and products containing asphalt.
- 6.14.** Treated or painted wood including but not limited to plywood, composite wood products or other wood products that are painted, varnished or treated with preservatives.
- 6.15.** Any plastic material including but not limited to nylon, PVC, ABS, polystyrene or urethane foam, and synthetic fabrics, plastic films and plastic containers.
- 6.16.** Rubber including tires and synthetic rubber-like products.
- 6.17.** Newspaper, corrugated cardboard, container board, office paper and other materials that must be recycled in accordance with the recycling ordinance except as provided in Section 11 of this ordinance.

SECTION 7: OPEN BURNING OF LEAVES, BRUSH, CLEAN WOOD AND OTHER VEGETATIVE

DEBRIS

7.00 Burning leaves, brush, clean wood and other vegetative debris. Open burning of leaves, weeds, brush, stumps, clean wood other vegetative debris is allowed only in accordance with the following provisions.

- 7.1.** All allowed open burning shall be conducted in a safe nuisance free manner, when wind and weather conditions are such as to minimize adverse effects and not create a health hazard or a visibility hazard on roadways, railroads or airfields. Open burning shall be conducted in conformance with all local and state fire protection regulations.
- 7.2.** Except for barbecue, gas and charcoal grills, no open burning shall be undertaken during periods when either the Fire Chief or the Wisconsin Department of Natural Resources has issued a burning ban applicable to the area.
- 7.3.** Open burning shall be conducted only on the property on which the materials were generated or at a facility approved by and in accordance with provisions established by the Department of Natural Resources and the Fire Chief.
- 7.4.** Unless explicitly allowed elsewhere in this ordinance, a commercial enterprise other than an agricultural or silvicultural operation may open burn only at a facility approved by and in accordance with provisions established by the Department of Natural Resources and the Fire Chief.
- 7.5.** Open burning of weeds or brush on agricultural lands is allowed if conducted in accordance with other applicable provisions of this ordinance.
- 7.6.** Fires set for forest, prairie or wildlife habitat management are allowed with the approval of the Department of Natural Resources.
- 7.7.** Outdoor campfires and small bonfires for cooking, ceremonies or recreation are allowed provided that the fire is confined by a control device or structure such as a barrel, fire ring, or fire pit. Bonfires are allowed only if approved by and in accordance with provisions established by the Fire Chief.
- 7.8.** Burning of trees, limbs, stumps, brush or weeds for clearing or maintenance of rights-of-way is allowed if approved by the Fire Chief and if in accordance with other provisions of this ordinance.
- 7.9.** In emergency situations such as natural disasters burning that would otherwise be prohibited is allowed if specifically approved by the Department of Natural Resources.
- 7.11** Open burning under this section shall only be conducted at a location at least 100 feet from the nearest building which is not on the same property.
- 7.12.** Except for campfires and permitted bonfires, open burning shall only be conducted between the hours of 5:00 am and 4:00 pm.
- 7.13.** Open burning shall be constantly attended and supervised by a competent person of at least eighteen (18) years of age until the fire is extinguished and is cold. The person shall have readily available for use such fire extinguishing equipment as may be necessary for the total control of the fire.
- 7.14.** No materials may be burned upon any street, curb, gutter or sidewalk or on the ice of a lake, pond, stream or waterbody.
- 7.15.** Except for barbecue, gas and charcoal grills, no burning shall be undertaken within 25 feet from any combustible material, combustible wall or partition, exterior window opening, exit access or exit unless authorized by the Fire Chief.
- 7.16.** No open burning may be conducted on days when the Department of Natural Resources has declared an Air Quality Watch or Air Quality Advisory for ozone or fine particle pollution applicable to the Village of Albany.

SECTION 8: BURN BARRELS

8.00 Burn barrels. No person shall use or maintain a burn barrel in the Village of Albany

SECTION 9: OUTDOOR WOOD-FIRED FURNACES

9.00 Outdoor wood-fired furnaces. No person shall install, use or maintain an outdoor wood-fired furnace in the Village of Albany. Outdoor wood-fired furnace installed prior to January 1, 2017 may continue to be used only if maintained in accordance with the following provisions:

- 9.1. The outdoor wood-fired furnace shall not be used to burn any of the prohibited materials listed in Section 6 of this ordinance.
- 9.2. The outdoor wood-fired furnace shall be located at least 300 feet from the nearest building which is not on the same property as the outdoor wood-fired furnace.
- 9.3. The outdoor wood-fired furnace shall have a chimney that extends at least 30 feet above the ground surface. If there are any residences within 500 feet, the chimney shall also extend at least as high above the ground surface as the height of the roofs of all such residences. The Fire Chief may approve a lesser height on a case-by-case basis if necessary to comply with manufacturer's recommendations and if the smoke from the lower chimney height does not create a nuisance for neighbors.

SECTION 10: FIRE DEPARTMENT PRACTICE BURNS

10.00 Fire department practice burns. Except as provided in this section for fire department practice burns, an existing unwanted building in the Village of Albany may not be burned. A building, which is no longer standing, may not be used for a practice burn.

- 10.1. An existing building may be burned only by the Albany Fire Department and only if the Fire Chief determines that the burning is necessary for practice and instruction of fire fighters or firefighting equipment.
- 10.2. Asphalt shingles and asphalt or plastic siding shall be removed prior to the practice burn unless the Fire Chief determines that they are necessary for the fire practice.
- 10.3. A demolition notification shall be submitted to the Department of Natural Resources and all asbestos removed prior to the practice burn.
- 10.4. All ash shall be disposed of in an approved landfill or at an alternative location approved by the Department of Natural Resources.
- 10.5. At least 48 hours before a planned practice burn the Fire Chief or designee shall notify residents within 1000 feet of the site of the proposed burn.

SECTION 11: EXEMPTION FOR BURNING CERTAIN PAPERS

11.00 Exemption for burning certain papers. Papers of a confidential nature should be shredded and recycled

- 11.1. Notwithstanding Subsection 6.17 of this ordinance, small amounts of paper and cardboard products may be used as a starter fuel for a fire that is allowed under this ordinance

SECTION 13: LIABILITY

13.00 Liability. A person utilizing or maintaining an outdoor fire shall be responsible for all fire suppression costs and any other liability resulting from damage caused by the fire.

SECTION 14: RIGHT OF ENTRY AND INSPECTION

14.00 Right of entry and inspection. The Fire Chief or any authorized officer, agent, employee or representative of the Village of Albany who presents credentials may inspect any property for the purpose of ascertaining compliance with the provisions of this ordinance. Note: If the owner or occupant of the premises denies access to the property for this purpose, a special inspection warrant may be obtained in accordance with sections 66.122 and 66.123, Wis. Stats.

SECTION 15: ENFORCEMENT AND PENALTIES

15.00 Enforcement and penalties.

- 15.1. The Fire Chief, Police Chief and Village President are authorized to enforce the provisions of this ordinance.
- 15.2. The penalty for violation of any portion of this ordinance shall be a forfeiture of not less than \$25 or more than \$1000 plus the cost of prosecution. Penalties are doubled for second and subsequent offenses.