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3 **ORDINANCE: Create Section 9.37, Regulation of Recreational Fires on Lake Winnebago**  
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5 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**  
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7 **WHEREAS**, individuals residing adjacent to or near Lake Winnebago have expressed concerns to the  
8 Judiciary and Public Safety Committee regarding large, unattended fires being built on the ice upon Lake Winnebago  
9 during the winter months; and

10 **WHEREAS**, the Judiciary and Public Safety Committee of the Winnebago County Board of Supervisors  
11 believes that it is in the best interests and safety of Winnebago County residents that fires on Lake Winnebago be  
12 regulated as to the size of the fire, materials used to create such a fire, and attendance and supervision of said fires.

13 **NOW, THEREFORE, BE IT ORDAINED** by the Winnebago County Board of Supervisors that it hereby  
14 creates Section 9.37 of the General Code of Winnebago County to read as follows:

15 **9.36 REGULATION OF RECREATIONAL FIRES ON LAKE WINNEBAGO**  
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17 (1) **Authority:** This Ordinance is created pursuant to § 30.81(2), Wis Stats.  
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19 (2) **Purpose:** The purpose of this Ordinance is to regulate the building of fires for the purpose of recreational  
20 and personal enjoyment upon Lake Winnebago.  
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22 (3) **Restrictions:**  
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24 (a) No recreational fire or portable fire pit shall be closer than ten (10) feet from any building, structure, or  
25 any other combustible material on Lake Winnebago.  
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27 (b) All recreational fires shall not have a diameter larger than thirty (30) inches, nor may the fire extend  
28 more than two (2) feet above the ice.  
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30 (c) No recreational fires shall be started or allowed to continue burning when the wind direction or wind  
31 speed causes smoke, embers, or other burning materials to be carried by the wind toward any building or other  
32 combustible materials, nor any time when the wind exceeds ten (10) miles per hour. Smoke from any recreational  
33 fires shall not create a nuisance for neighboring property owners along the shores of Lake Winnebago.  
34

35 (d) All recreational fires shall be completely extinguished prior to abandoning the area adjacent to the  
36 recreational fire.  
37

38 (e) At no time shall a recreational fire be allowed to burn unattended.  
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40 (f) Material for recreational fires shall not include rubbish, garbage, recyclable items, trash, or any  
41 material made of petroleum based materials, and shall not contain any flammable or combustible liquids, except for  
42 portable fire pits which are designed to burn LP gas. Such gas devices shall only be used per the manufacturer's  
43 listing instructions. This regulation shall no pertain to the use of lighter fluid for purposes of initially igniting a fire.  
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45 (g) At least one responsible person, age 18 or older, shall be present from the time the fire is ignited until  
46 the time the fire is completely extinguished.  
47

48 (4) **Penalty:** Any person who violates any provision of this Section of the Code shall be subject to the  
49 imposition of those penalties upon them as is provided in Section 25.04 of the General Code of Winnebago County.  
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51 (5) **Effective Date:** This Ordinance shall be in full force and effect as of November 1, 2012.  
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53 Submitted by:

54 **JUDICIARY AND PUBLIC SAFETY COMMITTEE**

55 Committee Vote: **5-0**

56 Vote Required for Passage: **Majority of Those Present**

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Approved by the Winnebago County Executive this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

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Mark L Harris  
Winnebago County Executive