

TOWN OF MENDON  
Burn Permit Ordinance

Preamble

This is an ordinance relating to the requirement of receiving a permit for any outdoor burning in the town of Mendon. All references to Vermont Statutes are to Title 10, Chapter 83 of the Vermont Statutes Annotated, unless otherwise indicated.

The town of Mendon does not have its own fire department and has a contract with the Fire Department of the City of Rutland (hereinafter referred to as the fire department) for fire protection. Commencing on or around September 1, 2001, that contract requires the town of Mendon to pay the city of Rutland \$500.00 for every call in the town of Mendon responded to by the fire department. This fact gives rise to the additional obligations of the permittees to notify the fire department prior to burning according to the right to do so by a lawfully issued permit and fees levied hereunder.

Section 1: Authority and adoption.

This ordinance is adopted under the authority of the 10 V.S.A. Chapter 83 to regulate and control burning in the town of Mendon.

Section 2: Permit to burn outdoors.

- a. No person may commence or maintain an outdoor fire for burning of brush (including forest products, limbs, branches, etc. resulting from timber operations), weeds, grass or rubbish of any kind without first obtaining a permit, in writing, from the Forest Fire Warden appointed under the authority of Section 2641. The obligation of obtaining the permit shall be joint and several between the landowner or landowners and the person doing the burning if they are not the same person. The permittee shall include in his or her application his or her name, address, telephone number, date, the exact location, dates (as further set forth below) of the planned fire and the signature of the applicant.
- b. The procedure for obtaining a permit shall be as follows: The applicant shall obtain a written application at the clerk's office. After completion of the application, the permittee shall deliver it to the Forest Fire Warden. The Forest Fire Warden shall notify the applicant if the permit is granted or denied, verbally, to be followed up with a copy of the permit in writing to the applicant. The Forest Fire Warden shall also deliver a copy of all issued permits immediately to the fire department.
- c. If such permit is issued, the Forest Fire warden shall immediately notify the fire department of its issuance. The Forest Fire Warden may require special conditions if he or she deems them necessary and appropriate for the purposes of reasonable control of the fire.
- d. A permit may be valid for no more than ten (10) days from its issuance.
- e. No more than two hours prior to commencing the fire, the permittee shall notify the fire department and the Forest Fire Warden of the fact that the fire will be commenced within two hours. This notification shall be required each and every day that a fire or fires will be burned.

Section 3: Civil penalties.

In addition to any other fines, penalties and remedies provided by law, any person (including, but not limited to, the landowner or landowners and the person doing the burning) who violates this ordinance shall

pay the following civil penalties:

- a. Fifty (\$50.00) dollars for each and every violation hereof, with each day the violation or violations continue constituting a separate violation; and
- b. If the fire department responds to the fire, the amount then charged by the fire department to the town of Mendon for responding to the fire according to any agreement or other arrangement then in effect. Commencing on or about September 1, 2001, that amount will be Five Hundred dollars (\$500.00).

Section 4: Severability.

The provisions of this ordinance are severable. As such, the invalidation of one or more provisions hereof shall have no force or effect on any other provision hereof and those provisions not determined to be invalid shall continue in full force and effect.

Date of Adoption: August 20, 2001

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