

City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

| File Number | Title | Status |
|-------------|---|--|
| 2010-0322 | Communication | Introduced |
| | John O'Hara communication relative to open air burning. | |
| | Introduced: 5/18/2010 | Controlling Body: Safety & Development Committee |

COMMITTEE RECOMMENDATION File

| ACTION DATE: | MOVER | SECONDER | | AYE | NO | PRESENT | EXCUSED |
|----------------|-------|----------|------------|----------|----------|---------|---------|
| <u>6/15/10</u> | | | Barczak | | | | |
| | | | Czaplewski | | | | |
| | | | Kopplin | ✓ | | | |
| | | | Lajsic | ✓ | | | |
| | | | Narlock | ✓ | | | |
| | | | Reinke | ✓ | | | |
| | | | Roadt | | | | |
| | | | Sengstock | | | | |
| | | | Vitale | ✓ | | | |
| | | | Weigel | | | | |
| | | | TOTAL | <u>5</u> | <u>0</u> | | |

SIGNATURE OF COMMITTEE MEMBER

Chair

Vice-Chair

Member

COMMON COUNCIL ACTION

LACE ON FILE

| ACTION DATE: | MOVER | SECONDER | | AYE | NO | PRESENT | EXCUSED |
|--------------------|-------|----------|------------|-----------|----|---------|---------|
| <u>JUN 15 2010</u> | | | Barczak | ✓ | | | |
| | | | Czaplewski | ✓ | | | |
| | | | Kopplin | ✓ | | | |
| | | | Lajsic | ✓ | | | |
| | | | Narlock | ✓ | | | |
| | | | Reinke | ✓ | | | |
| | | | Roadt | ✓ | | | |
| | | | Sengstock | ✓ | | | |
| | | | Vitale | ✓ | | | |
| | | | Weigel | ✓ | | | |
| | | | TOTAL | <u>10</u> | | | |

RECEIVED

MAY 13 2010

CITY OF WEST ALLIS
CLERK/TREASURER

COPIES

1

THIS LETTER IS FOR THE 18TH OF MAY MEETING,
SUBJECT: INTERPRETATION AND/OR ADMENDMENT
OF ATTACHED (9) SUBJECT DEALING WITH
COOKING WITH WOOD USING AN APPROPRIATE
WOOD GRILL.

MY NEIGHBORS AND MYSELF UNDERSTAND
THAT THE FOLLOWING STATEMENT 'THIS PARAGRAPH
SHALL NOT APPLY TO A SIMILAN GRILL USED IN
THE COOKING OF FOOD -' MEANS THAT PROVIDING
A GRILL HAS A FINE MESH SCREEN AND WAS
PURPOSFUL IN ITS DESIGN TO BE MADE AND
SOLD IN ORDER TO BE ABLE TO COOK FOOD
OVER BURNING WOOD... WOULD NOT VIOLATE
THE PREMISE OF THIS ORDINANCE.

MANY OF US HAVE WOOD BURNING
FIREPLACES INSIDE OF OUR HOMES WHICH
DEMONSTRATES PERFECTLY HOW WHEN
SET UP PROPERLY BURNING WOOD ADDS
TO LIFES ENJOYMENT. THIS SAME

c. Not obstruct access to the approved fire hydrant under any circumstance. Prohibited obstructions may include, but are not limited to, snow accumulation, parked vehicles, material and equipment storage and refuse storage.

d. Property owners shall immediately advise the West Allis Fire Department and Water Department as to approved fire hydrants which have been damaged or which are found to be inoperable.

(9) OPEN AIR BURNING. No person, firm or corporation shall burn, or cause to be burned in the open air, leaves, garden refuse, wood, refuse or other combustible material. This paragraph shall not apply to a charcoal, gas or similar grill used in the cooking of food or to the smoking of tobacco products.

(10) SMOKING IN THEATERS. No person shall ignite a match or other flame producing device or shall smoke or carry a lighted cigar, cigarette or pipe in any theater, except in areas approved by the Fire Prevention Bureau, provided such areas are free from all flammable and combustible floors, walls, furniture, fixtures and decorations. Whenever a patron is observed smoking in violation hereof, the owner, lessee, manager, person in possession or charge or employee shall notify such person forthwith of the violation and shall notify the West Allis Police Department or West Allis Fire Department, if such violation continues. This paragraph shall not be construed to prohibit the use of lighted cigars, cigarettes or pipes upon the stage of any theater when used in connection with any performance, when permission has been granted by the Fire Prevention Bureau.

(11) CAUSING FIRE BY TOBACCO SMOKING. No person may by smoking or attempting to light or to smoke cigarettes, cigars, pipes or tobacco in any manner in which lighters or matches are employed, shall, in a careless, negligent or reckless manner, set fire to any bedding, furniture, curtains, trash or other refuse, or any part of a building, so as to endanger life or property in any way or to any extent.

(12) SMOKING IN SCHOOLS OR PUBLIC LIBRARIES. It shall be unlawful to light a match or any flame producing device, or to smoke or carry a lighted cigar, cigarette or pipe in any school building or in the Public Library, except in areas approved for such a purpose by the Fire Prevention Bureau. It shall be the duty of the person or persons in charge of such buildings to post and maintain signs bearing the words "NO SMOKING" in locations designed to give notice to persons entering the building or as designated by the Fire Prevention Bureau.

(13) CHRISTMAS TREE SALES.

(a) For the purpose of this paragraph, the following minimum standards shall apply to the storage, handling and display of Christmas trees and foliage:

1. Trees and foliage shall be stacked not closer than ten (10) feet from any gasoline pump or other device for the transfer of petroleum products.
2. Aisles or clear spaces of not less than three (3) feet shall be maintained at all times.
3. No Christmas trees or foliage shall contact any electric wires.
4. A fire extinguisher with a 2A10BC rating or greater shall be provided by the merchant for each seventy-five (75) feet of travel in the display and/or storage area.
5. All storage and sales of Christmas trees and foliage shall be held outside of all buildings.

(b) It shall be unlawful to light a match or any flame producing device, or to smoke or carry a lighted cigar, cigarette or pipe in areas where Christmas trees or foliage is sold, displayed or stored. The person in charge of the Christmas tree sales shall post "NO SMOKING" signs in locations designed to give persons entering the area notice of this regulation.

(14) AUTOMATIC FIRE DETECTION SYSTEMS AND WARNING SYSTEMS.

(a) Definitions. For the purpose of this paragraph, the following definitions shall be applicable:

1. Approved. Acceptable to the Fire Prevention Bureau.



CITY CLERK/TREASURER'S OFFICE
414/302-8200 or 414/302-8207 (Fax)
www.ci.west-allis.wi.us
Paul M. Ziehler
City Admin. Officer, Clerk/Treasurer
Monica Schultz
Assistant City Clerk
Rosemary West
Treasurer's Office Supervisor

June 22, 2010

Mr. John O'Hara
2319 S. 55 Street
West Allis, WI 53219

Dear Mr. O'Hara

On June 15, 2010, the Common Council placed on file your request relative to open air burning.

An Ordinance O-2000-0002 was passed on June 1, 2010 relative to repealing and recreating subsection 5.10(9) of the Revised Municipal Code relating to open burning. The full text of this ordinance may be obtained at the City Clerk/Treasurer's Office, and through the Legislative Information Center on the City's website at www.ci.west-allis.wi.us.

Sincerely,

Monica Schultz
Assistant City Clerk

/jl