



MCHENRY TOWNSHIP FIRE PROTECTION DISTRICT

Open Burning Requirements & Restrictions

Burning complaint: An issue raised by a citizen, police agency, or health department indicating that a residence or business may be burning in such a way that is illegal according to the county or municipal statute.

Illegal burning incident: A call received by Dispatch which warrants a fire department response to investigate the burning complaint. This may possibly include extinguishing the fire.

Guidelines:

1. The officer is responsible to determine if the burning is illegal and to determine if further actions are needed. The standard practice shall be to extinguish any fire determined to be illegal burning.
2. If determined to not be illegal burning, it shall be at the officer's discretion regarding the need to extinguish the fire.

The McHenry Township Fire Protection District does not issue citations for illegal burning. It shall be the responsibility of the responding officer to determine if the issue shall be referred to the appropriate police department or the McHenry County Health Department.

McHenry County Open Burning Ordinance

PROHIBITED AT ALL TIMES:

- Burning of manure, garbage, litter, etc. on any property in McHenry County
- Burning of landscape waste within one hundred feet (100') of a habitable structure (i.e. residence, school, etc.)
- Burning of landscape waste within fifty feet (50') of a non-habitable structure (i.e. detached garage, barn, etc.)

RESTRICTIONS WHEN GREATER THAN 100' FROM A HABITABLE STRUCTURE AND 50' FROM A NON-HABITABLE STRUCTURE:

- Only landscape waste and only on the property where the landscape waste was generated
- Only during the months of April, May, October, and November (weekends only)
- **Only between dawn and dusk**
- **Only when the winds are less than 10 mph**
- Must be supervised by an individual at least 18 years of age
- A fire extinguisher, garden hose, or water source must be available by the burning site

500' EXEMPTIONS:

Burning of on-site generated landscape waste five hundred feet (500') or greater from a habitable structure is allowed:

- During any month of the year
- On any day of the week



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- At any time of the day

Note: All other prohibitions/restrictions apply

OTHER EXEMPTIONS:

- Recreational fires, not larger than 3'x3'x3', and excludes leaves, grass, or shrubbery clippings.
- Ceremonial fires (bonfires) larger than 3'x3'x3', and excludes leaves, grass, or shrubbery clippings; permit required from McHenry County Department of Health Habitat Reclamation or Firefighter.

ENFORCEMENT:

Any officer of the McHenry County Department of Health, law enforcement agency, fire department, or fire protection district is authorized to enforce the provisions of this Ordinance.

The Ordinance delegates enforcement authority to the following agencies:

- McHenry County Department of Health - (815) 334-4585
- Local Law Enforcement Agencies (i.e. municipal police, sheriff's department, etc.)
- McHenry Township Fire Protection District

City of McHenry:

Bon Fires

- A permit must be applied
- Unless otherwise authorized by the City of McHenry, recreational fires shall occur on private property, and at no time shall a person start or maintain any fire in any street, sidewalk, park, or public right-of-way.
- A recreational fire shall be attended at all times by an adult.
- A garden hose connected to a water supply or other fire extinguishing equipment shall be readily available for use.
- Only seasoned dry firewood shall be used for a recreational fire, provided, however, a small amount of paper and/or brush may be used to start the fire as kindling.
- The fire shall be extinguished when unattended.
- Any smoke from a recreational fire shall not flow into an adjacent or nearby building.

THE BONFIRE SHALL CONFORM TO THE FOLLOWING REQUIREMENTS:

- Shall not exceed five feet by five feet (5'x5') in size;
- Shall not burn longer than three hours;
- Shall not be located closer than fifty feet (50') to any structure;
- Provision shall be made to assure prevention of spread to within fifty feet (50') of any structure.



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- If at any time, the fire is found to be a nuisance to persons on neighboring properties, the fire shall be immediately extinguished.

Recreational fires

- The open burning of any materials or substances is hereby prohibited within the City limits, except for a fire kindled for outdoor cooking, recreational burning, and controlled burning for prairie or forest ecology management purposes, subject to the conditions and limitations contained herein.
- A fire kindled for outdoor cooking shall be allowed within the City limits, provided such fire is contained in a permanent fireplace, portable grill, or other appliance designed for the preparation of food and used in the manner it was intended by its manufacturer.
- Recreational burning shall be permitted within the City limits, subject to the conditions and limitations contained herein.
- Recreational burning shall be defined as follows:
 - a. A fire within an enclosed fireplace designed for outdoor use.
 - b. A bonfire used for ceremonial purposes and conducted by responsible individuals or organizations, but only upon a special permit issued by the City. Unless otherwise approved by the City, a bonfire shall not exceed five feet by five feet (5' x 5') in size, shall not burn longer than three (3) hours, and shall not be closer than fifty feet (50') from any structure. Adequate provisions shall be made to prevent the fire from spreading to within fifty feet (50') of any structure.

RECREATIONAL BURNING SHALL BE SUBJECT TO THE FOLLOWING CONDITIONS:

- a. **Private Property:** Unless otherwise authorized by the City Council, recreational fires shall occur on private property, and at no time shall a person start or maintain any fire in any street, sidewalk, park, or public right-of-way.
- b. **Permanent Outdoor Fire Pits:** Each permanent outdoor fire pit shall be dug into the ground in a manner that will prevent the burn materials from falling out of the pit. The above-grade portion of the pit shall be constructed of stone, masonry, metal, or other similar noncombustible materials. The bottom of the pit shall be below grade and shall be comprised of gravel, stone, or dirt. The total open area of the pit shall be no more than forty-eight inches (48") across and no more than twenty-four inches (24") in depth from the bottom of the pit to the top of the above-grade materials. The pit shall be surrounded by a noncombustible barrier.
- c. **Portable Fireplaces:** Portable fireplaces shall be located on a non-combustible, hard, level surface when in use, such as but not limited to, concrete, paver bricks, or asphalt.
- d. **Attendance:** A recreational fire shall be attended at all times by an adult.
- e. **Extinguishing Equipment:** A garden hose connected to a water supply or other fire extinguishing equipment shall be readily available for use.



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- f. Seasoned Dry Firewood: Only seasoned dry firewood shall be used for a recreational fire, provided, however, a small amount of paper and/or brush may be used to start the fire as kindling.
- g. Extinguish When Unattended: The fire shall be extinguished when unattended.
- h. Control of Smoke: Any smoke from a recreational fire shall not flow into an adjacent or nearby building.
- i. Nuisances: If at any time, the fire is found to be a nuisance to persons on neighboring properties, the fire shall be immediately extinguished.

Village of Johnsburg

- Follows McHenry County guidelines for open burning (*see above*)

Village of Ringwood

- Burning of garbage shall not be conducted within the corporate limits of the Village of Ringwood at any time
- Open burning of non-garbage materials shall not be conducted on any December 25 within the corporate limits of the Village of Ringwood

Village of Lakemoor

- Normally no open burning within 100 feet of a habitable structure. Currently following Lake County ordinance (*see below*)

Village of McCullom Lake

- Follows McHenry County guidelines for open burning (*see above*)

Village of Bull Valley

- Follows McHenry County guidelines for open burning (*see above*)

Village of Holiday Hills

- Follows McHenry County guidelines for open burning (*see above*)

Village of Island Lake

- Normally no open burning within the village limits

Open Burning Restrictions in Unincorporated Lake County Permanent Open Burning Ordinance (Effective June 1, 2022)

The Lake County Board approved an ordinance to enact permanent open burning restrictions for unincorporated areas of Lake County. In addition to the ordinance, franchise waste hauler



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agreements to provide consolidated waste hauling services in unincorporated areas within certain townships were approved.

The ordinance went into effect on June 1, 2022, to coincide with the start of consolidated waste hauling services.

The [ordinance can be found online](#). Below is a breakdown of how the ordinance impacts recreational fires and burning yard waste. Additional background information can be found on the [open burning interactive website](#).

Allowed Under Ordinance:

- Recreational wood-burning fires that are no larger than 3'x3'x3' if used for warming, cooking, and other recreational purposes

Prohibited at All Times Under Ordinance:

- Burning garbage, refuse, or construction materials (note that this has been prohibited for many years)
- Burning non-woody yard waste, such as leaves and grass

Restricted Under Ordinance:

- Burning woody yard waste is permitted annually between November 1 – March 31. Woody yard waste generally consists of sticks, branches and tree limbs

Ordinance Enforcement:

- Violations of this ordinance are subject to enforcement.

To report a suspected open burning violation occurring in the unincorporated area, please call the Lake County Open Burning Hotline at 847-377-2999

Provide the address, specific location, or [Property Index Number \(PIN\)](#), if available, of the property where the suspected violation is occurring so that Lake County may follow up on the complaint in a time-efficient manner. NOTE: it is important to report the information *at the time the burning is occurring* to assist staff in conducting a proper on-site assessment of the situation.

Please note, some unincorporated areas are also subject to their [local fire protection district's](#) restrictions on open burning. Residents should contact their fire district for more details on applicable regulations. Residents can see who their fire protection district is and if they reside in a village/city or unincorporated Lake County by searching their address using the [County's Maps Online tool](#)

Last updated 11/30/2022