

1 AN ACT concerning open burning.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Fire Protection District Act is amended
5 by adding Section 8.20 as follows:

6 (70 ILCS 705/8.20 new)

7 Sec. 8.20. Open burning.

8 (a) The board of trustees of any fire protection district
9 incorporated under this Act may, by ordinance, regulate open
10 burning within the district for the purpose of preventing and
11 controlling unreasonable fire risk. The ordinance must
12 require that the district be notified of open burning before
13 it takes place, but shall not require that a permit for open
14 burning be obtained from the district. The district may not
15 enforce an ordinance adopted under this Section within the
16 corporate limits of a municipality with a population of
17 1,000,000 or more.

18 (b) The fire department of a fire protection district may
19 extinguish any open burn that presents a clear, present, and
20 unreasonable danger to persons or adjacent property or that
21 presents an unreasonable risk because of wind, weather, or
22 the types of combustibles. The unreasonable risk may include
23 the height of flames, windblown embers, the creation of
24 hazardous fumes, or an unattended fire. Fire departments may
25 not unreasonably interfere with permitted and legal open
26 burning.

27 (c) The fire protection district may provide that persons
28 setting open burns on any agricultural land with an area of
29 50 acres or more may voluntarily comply with the provisions
30 of an ordinance adopted under this Section.