Local Law #3 of 2025

Purpose.

This chapter shall provide for the promotion or protection of the health; safety and welfare of the people of the Village of Port Byron by regulating the conduct of open fire within The Village of Port Byron.

Definitions.

As used in this chapter, the following terms shall have the meanings indicated below: Construction and Demolition Waste

Lumber, concrete, pipe, brick, masonry and other materials from buildings or other

structures.

Garbage

The animal, vegetable and man-made waste resulting from the handling, preparation, cooking and serving of food.

Nuisance

A thing, act, occupation or use of property, premises, equipment or structures, either private or public, which causes unreasonable inconvenience or annoyance or affects the health, welfare and safety of one or more people.

Open Fire

Any outdoor fire or outdoor smoke-producing process from which air contaminants are emitted directly into the outdoor atmosphere.

Person

Includes any individual, society, group, firm, partnership, corporation or association or persons, and the singular number shall include the plural number.

Refuse

All waste material, including but not limited to garbage, rubbish, incinerator residue, ashes, street sweepings, dead animals and offal.

Rubbish

Solid or liquid waste materials, including but not limited to paper and paper products, rags, trees or leaves, grass, needles, and branches therefrom vines, lawn and garden debris, sludges, oils, and other petroleum products, sawdust, construction and demolition waste, tires, and automobiles and other vehicles and parts, for junk, salvage or disposal.

Open burning prohibited.

No person shall burn or cause, suffer, allow or permit the burning in an open fire of garbage, refuse or rubbish within the boundaries of the Village of Port Byron.

Open fire permitted.

The following open fires shall be permitted within the boundaries of the Village of Port Byron:

1. Barbecue/campfire. The open burning for cooking purposes over gas, charcoal, wood or similar substance.
2. The size, type and location of a barbecue/campfire or bonfire shall not exceed three (3) feet in diameter, must be contained by non-combustibles and shall not cause a nuisance to neighbors or surroundings residents.

§ 46-5. Penalties for offenses.

1. Failure to comply with any provision of this chapter shall be deemed a violation and first offense shall be punishable by a minimum fine of $25.00 and a maximum of

$250.00.

1. An action of proceeding in the name of the Village of Port Byron may be commenced in any court of competent jurisdiction to compel compliance with or restrain by injunction the violation of any provision of this chapt er. Such remedy shall be in addition to penalties and second offense shall be punishable by a minimum fine of $250.00 and not to exceed $500.00.