

ORDINANCE NO. 2016 - ___

OPEN BURNING ORDINANCE

WHEREAS, the Council of the Town of Fort Branch, Indiana, desires to establish standards for open burning of material.

BE IT ORDAINED by the Council of the Town of Fort Branch, Indiana, as follows:

SECTION 1: No person shall open burn any material except as provided in Section 2 of this Ordinance.

SECTION 2: (a) The following types of fires are permitted:

- (1) Fires celebrating Twelfth Night Ceremonies;
- (2) Fires celebrating school pep rallies;
- (3) Fires celebrating scouting activities;
- (4) Fires used for recreational and cooking purposes, i.e., camp fires, fire pits, fire rings of 48" across and chimneys;
- (5) Residential burning: where residence contains four or fewer units. Burning shall be in a noncombustible container sufficiently vented to induce adequate primary combustion air with enclosed sides, a bottom and mesh covering with openings no larger than one fourth inch (1/4") square. Burning is prohibited in apartment complexes and mobile home parks, including but not limited to burn barrels or drums.

(b) All exemptions under subsection (a) of this section shall be subject to the following:

(1) Only wood products, consisting of untreated wood or vegetation, shall be burned unless otherwise stated above. Excepting no yard clippings, leaves, debris, trash, construction materials.

(2) Fires shall be attended at all times until completely extinguished.

(3) If fires create a nuisance or a fire hazard, they shall be extinguished. Nuisance shall include excessive smoke, large bon fires or brush fires.

(4) All residential burning shall occur during daylight hours prior to 4:30 P.M. and conducted in a manner that all of the burning material is consumed by 4:30 P.M. Recreational fires as defined under Section (2) (4) above shall be allowed until 11:00 P.M. (C.S.T.)

(5) No burning shall be conducted during unfavorable meteorological conditions such as temperature inversions, high winds, air stagnation or state, county ordered burn bans, etc.

SECTION 3: This Ordinance shall be enforced by the Town of Fort Branch Police Department, Fort Branch Fire Department.

Any person or persons who violate this Ordinance shall be fined Fifty Dollars (\$50.00).

SECTION 5: This Ordinance shall be in full force and effect from and after the date of publication as required by law.

All prior Ordinances of Open Burning 1992-14 shall be repealed.

PASSED AND ADOPTED BY THE COUNCIL OF THE TOWN OF FORT BRANCH, INDIANA, THIS ____ DAY OF _____, 2016.

COUNCIL OF THE TOWN OF FORT BRANCH

ALAN BLEDSOE, PRESIDENT

SCOTT MICHAEL

TOM HAUSCHILD

ATTEST: (SEAL)

STACY ELPERS, CLERK-
TREASURER