

ORDINANCE NUMBER 135

ORDINANCE AUTHORIZING THE OPEN BURNING OF LEAVES

THE COUNCIL OF THE CITY OF LAMBERTON HEREBY ORDAINS:

Section 1. Burning of Leaves Permitted. The burning of leaves is permitted within the corporate limits of the City of Lambertton only in accordance with conditions set forth in this Ordinance.

Section 2. Time. The burning of leaves shall be permitted to occur from dawn to 7:00 P.M. on each Wednesday and Saturday beginning with the first Wednesday of October and ending with the last Saturday in November of each year subject to cancellation as provided in Section 3.

Section 3. Restrictions. No burning of leaves shall take place during an Air Pollution Alert, warning, or emergency declared by the Minnesota Pollution Control Agency, or during burning bans issued by the Minnesota Department of Natural Resources or the Lambertton Fire Chief.

Section 4. General Precautions Against Fire.

Subdivision 1. Kindling of Fire on Land of Others Restricted. No person shall ignite or burn any leaves upon the land of another without permission of the owner thereof or his agent.

Subdivision 2. Burning on Public Property. No person shall ignite or burn any leaves on any publicly owned or controlled lot or parcel of land, street, sidewalk or other public place which has not been set aside by public authorities for such purpose.

Subdivision 3. Location Restricted. No person shall ignite or maintain any fire permitted by this Ordinance or authorize any such fire to be ignited or maintained on any private land unless;

a. The fire is contained in an approved waste burner located safely not less than 15 feet from any structure, or

b. The location is not less than 50 feet from any structure and adequate provision is made to prevent fire from spreading to within 50 feet of any structure.

c. A garden hose connected to a water supply, or other fire extinguishing equipment is in close proximity to the fire.

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Section 4. Wind Speed. No person shall ignite or maintain any fire permitted by this Ordinance when the wind speed exceeds 15 miles per hour.

Section 5. Attendance of Fires. Any fire authorized by this Ordinance shall be constantly attended by a competent person until such fire is extinguished.

Section 6. Dried Leaves Only. No person shall kindle or maintain any fire permitted by this Ordinance or authorize such fire to be ignited or maintained if the material to be burned consists of anything other than dried leaves.

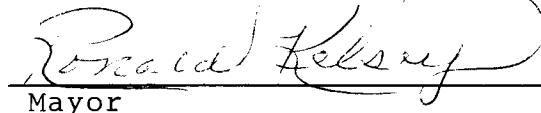
Section 7. Approved Waste Burners. An approved waste burner for the purposes of this Ordinance shall be constructed of fire resistant material, have a capacity of at least three bushels, be maintained with a minimum burning capacity of at least two bushels, and have a cover which is closed when in use and openings in the top or sides of one inch maximum diameter. No combustible material shall be nearer than three feet to the burner when in use.

Section 8. Open Burning Nuisances. Except as burning of leaves is otherwise authorized by this Ordinance, open burning is hereby declared a public nuisance and the Chief of Police and/or Fire Chief of the City of Lambertton may summarily abate such nuisance without notice to any party.

Section 9. Penalties. Violations of any of the provisions of this Ordinance shall be petty misdemeanors. The third violation and all subsequent violations within a one-year period of time shall constitute a misdemeanor.

Section 10. Effective Date. This Ordinance becomes effective upon its passage and publication according to law.

Passed by the City Council this 10th day of September, 1991.

  
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Mayor

Attest:

  
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Clerk-Administrator

(SEAL)

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