

ORDINANCE NUMBER 90.1

AN ORDINANCE FOR THE REGULATION AND CONTROL OF OPEN BURNING WITHIN THE CITY OF NEW AUBURN, MINNESOTA

THE CITY COUNCIL OF THE CITY OF NEW AUBURN ORDAINS:

SECTION 1. DEFINITIONS.

Subdivision 1. Open Burning. The burning of any matter whereby the resultant combustion products are emitted directly to the atmosphere without passing through an adequate stack, duct, or chimney.

Subdivision 2. Burnable Organic Matter. Dried leaves, dried grass clippings, dried vegetation, twigs, and tree limbs.

Subdivision 3. Garbage. Discarded material resulting from the handling, processing, storage, preparation, serving and consumption of food.

Subdivision 4. Rubbish. Non-putrescible solid waste such as paper, cardboard and other matter not including garbage.

SECTION 2. OPEN BURNING RESTRICTED. At no time shall any person cause, allow, or permit the open burning of any garbage, rubbish, or any other substance not included in the definition of burnable organic matter.

SECTION 3. RECREATIONAL FIRES. Fires set for recreational, ceremonial, food preparation, or social purposes are allowed and do not require an agency permit. The material to be burned must be limited to a pile no larger than three feet in diameter by three feet high. Only unpainted and untreated wood, coal or charcoal may be burned.

SECTION 4. BURNING ORGANIC MATTER. The open burning of burnable dried organic matter shall be allowed September 15 through December 1 of each year.

SECTION 5. PENALTY. Any person violating any provision of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than \$500 or imprisonment in the County Jail for not more than ninety (90) days, or both.

SECTION 6. REPEAL.

Subdivision 1. Ordinance Number 90, an ordinance regulating open burning within the City of New Auburn, Minnesota, and providing penalties for the violation thereof.

Subdivision 2. Ordinance Number 48, an ordinance for the regulation and control of open burning within the City of New Auburn, Minnesota is hereby repealed.

SECTION 7. EFFECTIVE DATE. This ordinance shall become effective upon its adoption and publication.

Adopted by the City Council this _____ day of _____, 2012

Roger H. Becker, Mayor

Attest:

Wendy L Becker, City Clerk

SEAL