

BILL NO: 15-01

ORDINANCE NO: 1811

AN ORDINANCE AMENDING SECTION 230.080 OF THE CITY CODE OF THE CITY OF OAK GROVE, MISSOURI REGARDING TIME PERIODS FOR BURNING YARD WASTE.

WHEREAS, the Section 230.080 of the City Code establishes time periods in the Spring and Fall of each year for burning of yard waste in the City; and

WHEREAS, at its January 20, 2015 meeting the Board of Aldermen discussed revising and extending said time periods and directed City staff to draft an ordinance to amend the City Code to establish the time periods for burning yard waste as March and April in the Spring and November and December in the Fall of each year; and

WHEREAS, the Board of Aldermen desires to approve an amendment to Section 230.080 of the City Code revising the time periods for burning yard waste in the City.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN FOR THE CITY OF OAK GROVE, MISSOURI, as follows:

SECTION 1. That the Section 230.080 of the Municipal Code of the City of Oak Grove, Missouri is hereby amended to read as follows:

SECTION 230.080: BURNING SOLID WASTE

A. *Restricted.* The burning of solid waste is prohibited at all times, except when solid waste is burned in a commercial incinerator which complies with all current regulations of this City and the State, except as provided in this Section. No person shall burn any combustible matter of any kind on any asphaltic, concrete or brick paved street, alley, parkway, boulevard or public place within the limits of the City.

B. *Time Periods For Burning Yard Waste.* Within the corporate limits of the City, the open burning of residential yard waste consisting of leaves and brush less than three (3) inches in diameter from vegetation grown on a residential property is permitted during the following calendar periods and times of the day:

1. March first (1st) through April thirtieth (30th).
2. November first (1st) through December thirty-first (31st).
3. The burning shall take place only between the daytime hours of 10:00 A.M. and 3:30 P.M.
4. The burning of paper, garbage, tires and other kinds of wastes is prohibited.

(c) *Restrictions on burning yard waste.* The burning of yard waste shall be conducted as follows after obtaining a burning permit from the Fire District.

(1) All fires shall be in an upright cylindrical metal container no larger in size than a 55-gallon capacity drum, such container to be located at least 15 feet away from any building.

(2) Firefighting material, including but not limited to a garden hose or a container of water sufficient to contain any fire started under this section, will be at the site of the burning.

(3) All fires shall be monitored from a point on the property where the fire is located by a person capable of containing a fire, should containment become necessary.

(4) If the safety of the community or the public may be endangered, the fire chief may invoke a temporary burning ban.

(5) If climatological conditions indicate open burning may create a health hazard, the Codes Officer and Fire Chief may invoke a temporary burning ban.

(6) Any person engaged in open burning in violation of this chapter shall be summonsed for a misdemeanor violation.

(d) This section shall not apply to fireplaces located wholly within a residence, outdoor barbecues for the preparation of food or properly supervised fires set for recreational or ceremonial purposes. Recreational and ceremonial fires must first pass inspection of the Codes Officer and Fire Chief.