

THE VILLAGE OF LA RUE, OHIO

ORDINANCE NUMBER 16 - 4

WHEREAS, it has come to the attention of the Village of La Rue that some residents are openly burning yard waste, debris, refuse, and other toxic and non-toxic waste; and

WHEREAS such burning creates health and safety issues for the residents of the Village of La Rue and poses a threat to resident's property; and

WHEREAS it is the intent of the Village of La Rue to protect its residents and their property from such hazard; and

WHEREAS it is not the intent of the Village of La Rue to ban cooking and properly contained recreational fires.

THEREFORE, BE IT ORDAINED by the Council of the Village of La Rue, County of Marion, State of Ohio:

SECTION 1. NOT PERMITTED

It shall be unlawful for any person to start, maintain, or permit fires or burning of:

- a) Garbage, including waste created in the process of handling, preparing, cooking or consuming food;
- b) material containing rubber, grease and asphalt or made from petroleum, such as tires, cars and auto parts, plastics or plastic-coated wire, or such things as create excessive smoke or harmful fumes.
- c) grass, yard waste, brush, and debris;
- d) dead animals, unless approved for control of disease by a governing agency;
- e) fires of any type which, due to smoke or fumes create a nuisance for other residents.

SECTION 2. RESTRICTIONS ON BURNING

- a) Open burning is not allowed when air pollution warnings, alerts, or emergencies are in effect.
- b) Fires cannot obscure visibility for roadways, railroad tracks, or air fields.
- c) No wastes generated off the premises may be burned on the premises.

SECTION 3. PERMITTED BURNING

Open burning shall be allowed for the following purposes without notification to or permission from the Ohio EPA, Fire Department, or Village Government:

- a) Heating tar, welding, acetylene torches, highway safety flares, heating for warmth of outdoor workers and strikers, smudge pots and similar occupational needs.
- b) Bonfires, campfires, and outdoor fireplace equipment, whether for cooking food for human consumption, pleasure, religious, ceremonial, warmth, recreational, or similar purposes, if the following conditions are met:
 - (i) They are fueled with clean seasoned firewood, natural gas or equivalent, or any clean burning fuel with emissions that are equivalent to or lower than those created from the burning of seasoned firewood;
 - (ii) They are not used for waste disposal purposes;
 - (iii) They shall have a total fuel area of three feet or less in diameter and two feet or less in height;
 - (iv) They shall not be left unattended until fully extinguished; and
 - (v) An appropriate method for immediate extinguishment shall be readily available at all times (e.g. fire extinguisher, water bucket, water hose).
- c) Recognized training in the use of fire extinguishers for commercial or industrial fire prevention.

SECTION 4. PENALTIES

A first violation of this Ordinance shall be considered a minor misdemeanor punishable consistent with the then applicable available punishments. Any subsequent violation shall be considered a misdemeanor in the fourth degree punishable consistent with the then applicable available punishments.

SECTION 5. REPEAL OF INCONSISTENT ORDINANCE

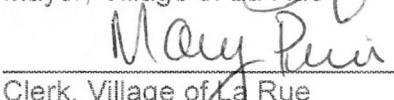
Because it is inconsistent with this ordinance, Ordinance 15-5 is repealed and replaced as of the effective date of this ordinance.

SECTION 6. STATEMENT OF EMERGENCY

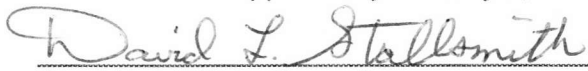
That this ordinance be declared an emergency for the benefit of the residents of the Village of La Rue and shall take effect and be in full force upon it's passage, provided it receives an affirmative vote of two-thirds of all members elected to council and approval by the Mayor, at the earliest date allowed by law.



Mayor, Village of La Rue



Clerk, Village of La Rue



President, Village Council