

BILL NO. 2614-16

ORDINANCE NO. 2575-16

AN ORDINANCE AMENDING THE CODE OF THE CITY OF CAMDENTON, TITLE II: PUBLIC HEALTH, SAFETY AND WELFARE; CHAPTER 215: NUISANCES, SECTION 215.040: BURNING GARBAGE AND WASTE

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CAMDENTON AS FOLLOWS:

Section 1. The Code of the City of Camdenon, Title II: Public Health, Safety and Welfare, Chapter 215: Nuisances, Section 215.040: Burning Garbage and Waste: is hereby amended by deleting present Section 215.040: Burning Garbage and Waste and in lieu thereof inserting new Section 215.040: Open Burning, Recreational Fires and Portable Outdoor Fireplaces. A copy is attached hereto and made a part of this Ordinance identified as Exhibit A.

Section 2. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 3. This Ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and approval by the Mayor.


Read the first time 2 day of February 2016.

Read the second time and passed and approved this 2 day of February 2016.



John D. McNabb, Mayor

ATTEST:



Renée Kingston, City Clerk, MRCC-C



EXHIBIT A

Chapter 215. Nuisances

Section 215.040. Burning Garbage and Waste.

~~The burning of garbage, refuse, waste and other materials producing smoke, gases or odors offensive or obnoxious to any of the inhabitants of the City, is hereby declared to be a nuisance.~~

Section 215.040: OPEN BURNING, RECREATIONAL FIRES AND PORTABLE OUTDOOR FIREPLACES

- A. Open burning and outdoor burning shall be considered a nuisance in the City of Camden unless the burning is specifically allowed by this Section.
- B. Burning of any items other than those specifically allowed by this Section is prohibited.
- C. Open burning of a small amount of natural yard waste (small trees, limbs, brush, tree leaves, grass clippings, other vegetation) is allowed only in accordance with all of the following provisions:
 - 1. A burn notification must be obtained prior to open burning under 215.040.C. The individual conducting any open burning must contact the City of Camden burn notification phone line on the day of the planned burn. This burn notification is good for that day only and the fire must be extinguished by dark. Notification does not relieve the person of the responsibility to comply with the rules and regulations by other State or Federal agencies.
 - 2. Open burning is not intended for the burning from land clearing, large piles of natural debris, or of tree or stump piles. Additional State and or Federal rules and regulations apply to land clearing.
 - 3. No flammable liquid may be used to start or maintain the fire.
 - 4. Open burning must be at least 25 feet away from all structures or combustible material, propane tanks or overhead wires.
 - 5. All allowed open burning shall be conducted in a safe, nuisance-free manner, when wind and weather conditions minimize adverse effects and do not create a health hazard or a visibility hazard on roadways. Open burning shall be conducted in conformance with adopted fire codes.
 - 6. Open burning shall be conducted only on the property on which the materials were generated and must remain on the property of the person doing the open burn.
 - 7. Campfires and other fires used solely for recreational purposes, ceremonial occasions or for outdoor non-commercial preparation of food are allowed provided they do not cause a nuisance. Fires shall include only vegetative woody materials or untreated wood products and all other requirements of this section apply to include contacting the City of Camden burn notification phone line.
 - 8. Portable outdoor fireplaces used at one and two-family dwellings shall be used in accordance with the manufacturer's instructions and shall not be operated within 5 feet of a structure or combustible material.
 - 9. Open burning shall be constantly attended and supervised by a competent person of at least eighteen (18) years of age until the fire is fully extinguished and is cold. The person shall have water source readily available (i.e. garden hose with water) or use such fire extinguishing equipment as may be necessary for the total control of the fire.

EXHIBIT A

10. No materials may be burned upon any street, curb, gutter or sidewalk.
- D. A person utilizing or maintain any outdoor fire which necessitates control and/or extinguishment by the Camden Fire Department or any other Fire Department shall be responsible for all fire suppression costs and any other liability resulting from damage caused by the fire.
 - E. A Fire Department Official or any authorized City Officer who presents credentials may inspect any property where open burning is being conducted for the purpose of ascertaining compliance with the provisions of Section 215.040. If violations or unsafe conditions are observed the individual(s) will be asked to extinguish the fire immediately.
 - F. This Section may be enforced by any City Police Officer or Fire Department Official who is duly sworn to act.