

ORDINANCE 99-1

CHAPTER 106
BURNING

Chapter 106 entitled "Prohibit the Outside Burning of Rubbish and to Limit the Burning of Trash and Leaves Within the Town of Williamsport, Indiana" is hereby repealed in its entirety and a new Chapter 106 entitled "Burning" is substituted therefore.

6 - 106 - 1. Open burning within the town limits is prohibited at all times except as provided in 6-106-2.

6 - 106 - 2. Private residential burning, where the building contains four (4) or fewer dwelling units is permitted under the following conditions:

(a) Burning shall be in a noncombustible container that is:

(i) sufficiently vented to induce primary combustion;
and

(ii) has enclosed sides and a bottom.

(b) Only clean wood products and paper may be burned.

(c) Fires must be attended at all times and until completely extinguished.

(d) If at any time a fire creates:

(i) a pollution problem;

(ii) a threat to public health;

(iii) a nuisance; or

(iv) a fire hazard

it shall be extinguished.

(e) No burning shall be conducted during unfavorable meteorological conditions such as:

(i) high winds, temperature inversions or air stagnation;

(ii) when a pollution alert or ozone action day has been declared.

(f) All burning shall comply with other federal, state, and local laws, rules, and ordinances.

(g) Adequate firefighting equipment shall be on-site

for extinguishing purposes during burning times.

- (h) Burning shall be conducted during daylight hours only, and all fires shall be extinguished prior to sunset.

6 - 106 - 3. Recreational or ceremonial fires, such as fires for scouting activities, and fires used for cooking purposes, such as camp fires, are permitted within the town limits under the conditions as prescribed in state laws and rules, currently 326 IAC 4-1-3(c)(1).

6 - 106 - 4. Burning, for the purpose of heating, using clean wood products or paper, is permitted within the town limits under the conditions as prescribed in state laws and rules, currently 326 IAC 4-1-3(c)(6).

6 - 106 - 5. All other permitted types of fires or exemptions to the prohibition against open burning as prescribed in state laws and rules, currently IC 13-17-19, 326 IAC 4-1-3, (a) and (c) (3), (4), (5), (7), and (8), and 326 IAC 4-1-4, if applicable, are also permitted within the town limits.

6 - 106 - 6. Any person or entity violating any provision of this ordinance shall, upon conviction, be fined not more than one hundred dollars (\$100.00) for each offense. Each day during which a violation of this ordinance takes place shall be deemed to be a separate violation. In addition thereto, both the owner and the occupier of any property upon which such burning takes place shall be responsible for the damages to public property caused by such burning.

6 - 106 - 7. Any police officer, if satisfied that a violation of this ordinance has occurred, shall cause a citation for the violation of this ordinance to be issued to the owner and the occupant of the property where the burning occurred.

This ordinance shall be in force from and after its passage and publication.

PASSED AND ADOPTED by the Town Council of the Town of Williamsport, Warren County, Indiana, on the 1st day of June, 1999.


ATTEST:




William H. Lucas,
Clerk-Treasurer
Town of Williamsport

WILLIAMSPORT TOWN COUNCIL


Richard S. Briles, President


Albert Scott Mathis


Philip K. Fisher