

ORDINANCE NO. 2021-____

OF THE TOWN OF WINSLOW, INDIANA

AN ORDINANCE AMENDING SECTION 6.09.010 (BURNING ON PRIVATE PROPERTY, COMPLY WITH STATE LAW) IN ORDER TO CLARIFY FOR WINSLOW RESIDENTS WHAT OPEN BURNING IS LEGALLY PERMITTED ON PRIVATE RESIDENTIAL PROPERTY

WHEREAS, Section 6.09.060 Comply with state law, lacks sufficient information for Winslow residents regarding allowable burning activities.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Town Council of the Town of Winslow, Indiana that Section 6.09.010 is hereby amended to read as follows:

6.09.060 Comply with State Law. The purpose of this Chapter is to incorporate Indiana statutes and regulations concerning open burning and is specifically addressed to clarify what open burning is legally permitted on private residential property. No provision in this Chapter shall be construed to conflict with Indiana statutes or regulations governing the same subject matter, and this Chapter shall be deemed amended, to comply with Indiana statutes and regulations, as those statutes and regulations may subsequently be amended.

Permissible Open Burning. Open burning on private residential property is permitted for the following purposes and materials and none other:

1. The burning of charcoal, clean untreated wood, and other cooking fuels customarily used in an outdoor grill, traditional food cooking devices, or campfires.
2. Fires used for recreational or ceremonial purposes such as pep rally fires or the celebration of scout activities. Only clean, untreated wood shall be used.
3. The burning of vegetation and wood products derived from pruning or clearing for maintenance purposes. Any burning of vegetative matter as provided herein shall be allowed only during daylight hours (8:00 am - 5:00 pm)
4. Stoves and outdoor fireplaces and fire pits used for both heating and non-heating (aesthetic) purposes.
5. Paper or petroleum products may be used for ignition purposes only.

6. Under no circumstances is the burning of trash allowed.

Conditions for Open Burning. The following conditions apply to all open burning activities.

1. Burning shall be done during safe weather conditions. Burning shall not occur during high winds, temperature inversions, air stagnation, or when a pollution alert or ozone action day has been declared.
2. Fires must be attended at all times until completely extinguished.
3. Fires must be extinguished if they create a fire hazard, nuisance, pollution problem, or threat to public health.
4. Fire fighting equipment adequate for the size of the fire shall be on-site and nearby during time of burning.
5. Burning shall be done in a noncombustible container that is sufficiently vented to induce adequate primary combustion and has enclosed sides and a bottom.
6. No burning is allowed nearer than twenty (20) feet from a dwelling on any property adjacent to where the burning occurs or nearer than ten (10) feet from any property line.
7. All burning shall comply with federal and state laws and regulations.

IT IS SO ORDAINED THIS ____ DAY OF _____ 2021

Council President Joshua Popp

Council Vice President Debra Lamb

Council Member Richard Brewster

ATTEST:

Clerk-Treasurer, Corbin Dixon