

ORDINANCE NO. 26

AN ORDINANCE PERTAINING TO BURNING IN THE NEVIS CITY LIMITS

THE CITY OF NEVIS ORDAINS:

Section 1.

The burning of leaves or branches on private property is permitted under the following conditions:

A. Burning will be allowed only with a valid permit from the Department of Natural Resources (DNR) or other permitting authority.

B. A responsible person shall be in constant attendance until the fire is completely extinguished.

C. Such fire shall not be less than 15 feet from any structure, wood fence, hedge or bush and no less than 5 feet from any property line.

D. The burning of leaves is prohibited on city streets, boulevards, or any public property by private citizens.

E. No open burning of leaves shall take place during an air pollution alert warning or emergency declared by the Minnesota Pollution Control Agency (MPCA).

F. The city Fire Chief may temporarily discontinue burning within the city limits due to unsafe conditions (i.e. excessive dryness, etc) .

G. No such burning shall take place during a high wind or when a traffic hazard may be created thereby in a nearby street.

Section II.

Any burning of rubbish, trash, or other debris is prohibited. Burning barrels are prohibited within the city limits of the City of Nevis.

Section III.

Penalty: Any person violating any portion of this ordinance shall be guilty of a misdemeanor and upon conviction shall be subject to a fine of not more than \$700.00 or imprisoned for not more than 90 days or both, as amended by the legislature of the State of Minnesota. The officer issuing any tickets pursuant to this Ordinance may, in his/her discretion, write upon the face of the tab charge "first offender/payable" rendering the matter a fineable offense only within the limits as prescribed by the District Court Judge's Association in conformance with legislative directive.

Section IV.

Effective Date: This ordinance shall be in full force and effective from and after its passage and publication according to law.

Passed by the Nevis City Council this 11th day of May, 1993.

ATTEST:

Maureen K. Cirks
City Clerk- Treasurer

James H. Hukki
Mayor