

**AN ORDINANCE AMENDING ORDINANCE 1495
PROHIBITING OPEN BURNING IN THE TOWN OF ORESTES**

WHEREAS, the Town of Orestes has previously enacted Ordinance 1495 prohibiting open burning in the town of Orestes, but providing for certain exceptions thereto; and

WHEREAS, the Town Council now desires to clarify the provisions of the ordinance to recognize that all open burning, residential burning, and any and all exemptions provided for within Ordinance 1495 shall not be allowed when there has been a general no-burn order issued by any properly authorized governmental entity, including, but not limited to the Madison County Commissioners, the State Fire Marshall, and/or the Governor of the State of Indiana.

NOW THEREFORE BE IT ORDAINED by the Council as follows:

SECTION 1. Ordinance 1495 is now amended to provide as follows:

The provisions of Ordinance 1495 notwithstanding, no person shall conduct any burning whatsoever within the town limits when there shall have been issued by a duly authorized governmental entity, including but not limited to the County Commissioners, the Governor, or the State Fire Marshall, an order prohibiting or limiting burning within Madison County. Any person burning in violation of such an order may be subject to the fines contained within Ordinance 1495. (\$25-\$500)

SECTION 2. In all other respects Ordinance 1495 shall remain in full force and effect. This ordinance shall become effective upon approval by the Town Council and publication as by law required.

SO ORDAINED this 28 day of August, 2012.

TOWN COUNCIL OF TOWN OF ORESTES

BY John J Shettle
President

Frank M Warch
Member

Debra J Atwood
Member

ATTEST:

Erin Atwood
Clerk/Treasurer

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