

ORDINANCE NO. 66  
(10-8-1964)  
(as amended 11-24-2009)

An ordinance to regulate the burning of papers, rubbish, leaves, grass, or any other inflammable waste material, within the Village of Nashville, and to provide penalty there for, and to repeal any Ordinance in conflict therewith.

THE VILLAGE OF NASHVILLE ORDAINS:

SECTION 1.

It shall be unlawful to burn any paper, rubbish, grass or any inflammable waste material within the Village of Nashville, unless such materials are contained in a steel, or masonry container, so constructed as to prevent the blowing about of any pieces of burning material, any ashes or cinders thereof; the approved trash burner shall be no less than 15 feet from any building.

SECTION 2.

It shall be unlawful to burn any substances, which cause annoying or obnoxious odors.

SECTION 3.

Any receptacle for the burning of such paper, rubbish or other inflammable materials shall be subject to inspection by the Chief of the Fire Department, or anyone delegated by him to so make such inspection. Said inspector shall have the duty and authority to condemn any such receptacle found to be dangerous or improperly constructed.

SECTION 4.

It shall be unlawful for any property owner within the village limits located closer than 100 feet of another residence to burn any grass, weeds, leaves or other material from any field, yard, or lot. For property over 100 feet away from another residence it shall be unlawful to burn any grass, weeds, leaves or other material from any field, yard, or lot without first obtaining a permit from the Barry County Dispatch. There shall be no burning after 9:00 p.m.

SECTION 5.

Recreational fires shall be allowed within the village limits. Such fires shall burn only unprocessed wood. A recreational fire shall be constantly attended by a competent adult of 18 years or older and shall be completely extinguished before being left alone. Recreational fires shall be permitted on private property so long as such a fire does not present a health or safety hazard. If a recreational fire is deemed to be a health or safety hazard by the Nashville Police or Fire department, it may be required by officer of said department to be completely extinguished.

SECTION 6.

No civil liability shall attach to the Village of Nashville, or any of its officers, inspectors or employees as a consequence of having issued such a permit.

SECTION 7.

Any person, firm, corporation, or other entity who violates any term or provision of this Ordinance is responsible for a municipal civil infraction and shall be punished by a civil fine of \$50 for a first violation, \$100 for a second violation, and \$150 for a third or subsequent violation and shall be liable for the payment of costs in an amount of not less than \$9.00 and not more than \$500.

This Ordinance shall become effective within 21 days from the date of its passing.

This Ordinance was adopted on the 8th day of October, 1964.

Gladys Miller  
Village President

Ada F. Skedgell  
Village Clerk

The amendment (Section 5) of this Ordinance was adopted on the 28th day of September, 2000.

The amendment (Section 5) shall become effective on the 4th day of October, 2000.

The amendment (Section 1 and 4) of this Ordinance was adopted on the 24<sup>th</sup> day of November, 2009 and shall become effective on the 14<sup>th</sup> day of December, 2009.

Frank Dunham  
Village President

Cathy Lentz  
Village Clerk