

City of Rothsay Ordinance No. 13.01

AN ORDINANCE ADOPTING BURNING REGULATIONS WITHIN THE CITY LIMITS.

The City Council of the City of Rothsay, Wilkin and Otter Tail Counties, State of Minnesota hereby adopts the following ordinance:

PROHIBITION ON OPEN BURNING: From and after the effective date of this ordinance, except as herein otherwise provided, open burning shall be prohibited within the City of Rothsay.

EXCEPTIONS:

- ◆ **CAMPFIRES:** A campfire is a fire set for cooking, warming, recreational or ceremonial purposes, which in not more than three (3') feet in diameter by three (3') feet high and the ground surrounding the fire has been cleared of all combustible material for five (5') feet from the base of the fire. Minn. Stat 88.01 subd 25
- ◆ Fire contained in charcoal grill, camp stoves, or other devices designed for the purpose of cooking or heating.
- ◆ Fires may not, however, be used for the burning of litter, refuse, garbage, leaves or paper. Fires not housed in an outdoor fireplace or barbecue appliance must be surrounded by non-combustible material.
- ◆ Starter Fuel for such fires means dry, untreated, unpainted wood or charcoal fire starter. Paraffin candles and alcohols are permitted as starter fuels and as aids to ignition only. Propane gas torches or other clean gas burning devices causing minimal pollution may be used to start the fire.
- ◆ **WOOD:** "Wood" means dry, clean fuel only such as twigs, branches, limbs, charcoal cordwood or untreated dimensional lumber. "Wood" does not include wood that is green, with leaves or needles, rotted, wet, oil soaked, or treated with paint, glue or preservatives.
- ◆ Fires purposely set for the instruction and training of firefighter personnel.
- ◆ The burning by City Staff of trees, brush, grass and other vegetative matter in the maintenance of municipal property.

ADDITIONAL PROVISIONS:

- **ATTENDANCE OF FIRE:** A competent person shall constantly attend any fire permitted by this ordinance until such fire is extinguished. This person shall have a garden hose connected to the water supply, or other extinguishing equipment readily available for use.
- No person shall conduct, cause, or permit open burning during a burning ban put into effect by a local authority, county, or state agency. Minn State 88.171 subd 9
- Exemption to conduct fires under this section does not excuse a person from the consequences, damages or injuries which may result there from, nor does it exempt any person from regulations promulgated by the Minnesota Pollution Control Agency or any other governmental unit exercising jurisdiction in matters of pollution or fire hazard regulations.
- A burning permit must be obtained from the local or county authorities prior to any fire other than the above mentioned "Exemptions".

PENALTY: Any person who violates any provision of section 803.01 is guilty of a misdemeanor. Upon convictions shall be punished with a fine of up to seven hundred dollars (\$700.00) or to imprisonment for a term of not more than ninety (90) days, or both.

EFFECTIVE DATE: This ordinance shall be effective upon adoption and publication as provided by law.

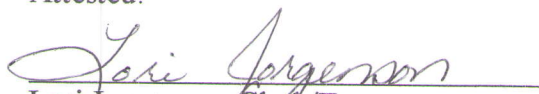
Passed and adopted by the City Council of the City of Rothsay, Minnesota, this 14th day of November, 2006.

Signed:



Paul Fosse, Mayor

Attested:



Lori Jorgenson, Clerk/Treasurer