

**AN ORDINANCE ESTABLISHING REGULATIONS PERTAINING TO BURNING IN THE CITY OF ST. MARY AND DESIGNATING WHEN THIS ORDINANCE SHALL TAKE EFFECT.**

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ST. MARY, MISSOURI, AS FOLLOWS:**

**SECTION 1. Garbage or Trash**

No person shall at any time burn any garbage or trash within the city limits.

**SECTION 2. Leaves, Tree Cuttings & Yard Vegetation**

Open burning of leaves, tree cutting and brush from vegetation grown on the property is permitted during a time which shall be established by the Board of Aldermen. All burning shall take place only between sun up and sun down. Such burning shall be done in small open fires; provided, that any such fire shall be attended and guarded by the person starting the fire, and care taken by him to prevent the escape of fire from the immediate area thereof. No burning in the public streets shall be permitted under this section. No fire shall be permitted which produces excessive smoke or noxious odors. Any person maintaining a fire with excessive smoke or noxious odors shall be in violation of the terms of this section. The area surrounding burner baskets, burner barrels and open fires shall be kept neat and clean, and free from accumulations of refuse and debris.

**SECTION 3. Hazardous conditions, prohibition**

The Fire Chief may prohibit open burning where atmospheric conditions or local circumstances make such fires hazardous.

**SECTION 4. Permits required for burning of combustible material**

Special burning shall only take place under the authorization of the Fire Chief. The Fire Chief is given the authority to authorize a variance from the burning restriction as set forth in this ordinance at his sole discretion, after having considered:

- 1.) The nature of the burning;
- 2.) The type of materials to be burned
- 3.) The supervision to be provided
- 4.) The types of buildings which are in close proximity; and
- 5.) The nature of the facilities at which the burning is to be done.

**SECTION 5. REPEALER**

All ordinances or parts of ordinances in conflict are hereby repealed.

This ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this the 10th day of June, 2003.

  
MAYOR CARLTON WYATT

ATTEST:

  
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CITY CLERK JOANN E. DONZE

<u>ALDERMEN</u>	<u>AYE</u>	<u>N AY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Gloria Bader	x			
Robert Bequette	x			
Brian Chapman	x			
Robert Schultz	x			

I, JoAnn E. Donze, Clerk of the City of St. Mary, Missouri, do hereby certify that the foregoing ordinance was duly passed and adopted by the Board of Aldermen at a meeting so convened this the 10th day of June, 2003.

  
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JOANN E. DONZE