

**AN ORDINANCE ESTABLISHING REGULATIONS PERTAINING TO BURNING IN THE CITY OF ST. MARY, MISSOURI 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 anytime burn any garbage or trash within the city limits of the City of St. Mary, Missouri.

**SECTION 2. Leaves, Tree Cutting and Yard Vegetation**

Open burning of leaves, tree cutting and brush from vegetation grown on the property is permitted during daylight hours only, which is from sun up till sun down anytime during the year. 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 the 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 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 or any member of the Fire Department 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 and or any member of the Fire Department. The Fire Chief and or any member of the Fire Department is given authority to authorize a variance from the burning restriction as set forth in the 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.

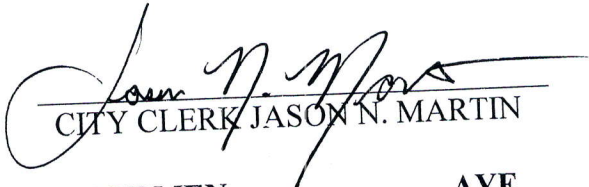
**SECTION 5. Repealer**

All ordinances or parts of ordinances in conflict are hereby repealed.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 12<sup>th</sup> day of May 2011

  
MAYOR CARLTON WYATT

ATTEST:

  
CITY CLERK JASON N. MARTIN

<u>ALDERMEN</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Dennis Bovey	✓		
Clyde Cassoutt	✓		
Robert Bequette	✓		
Frank Gerardot	✓		

I, Jason N. Martin, 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 the meeting so convened this the 12<sup>th</sup> day of May, 2011

  
JASON N. MARTIN