

**ORDINANCE NO. 2013-01**  
**AN ORDINANCE AMENDING SECTION 6.13, SUBD. 2**  
**AUTHORIZING THE OPEN BURNING OF DRIED LEAVES**  
**& ESTABLISHING LIMITS & CONDITIONS FOR SAID BURNING**

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF TRIMONT:

Section 1. Section 6.13, **Open Burning**, Subd. 2, is amended to read as follows:

Subd. 2.       **Burning Permitted.** Subject to the provisions of M.S. Section 116.082, the open burning of dried leaves between September 15<sup>th</sup> and December 1<sup>st</sup> is hereby allowed, subject to the limits and conditions specified in this section.

Section 2.       **Limits and Conditions.** The burning of leaves will only be permitted under the following limits and conditions:

- A.       The open burning of leaves will only be permitted between September 15<sup>th</sup> and December 1<sup>st</sup>.
- B.       Fire shall not be less than five (5) feet from any property line, or within 25 feet of any building, lumber pile, woodyard, haystack, or other combustible material.
- C.       A responsible person shall be in constant attendance until a fire is completely extinguished.
- D.       Burning will only be allowed during daylight hours.
- E.       The burning of leaves is prohibited on any city streets, alleys, sidewalks, boulevards, or any public parking locations.
- F.       Any residue material shall be removed after the fire has been extinguished so as to prevent any residue from entering the storm or sanitary sewer system of the City.
- G.       No burning shall take place during an air pollution alert, high fire danger, warning or other emergency declared by this City, the Minnesota Pollution Control Agency (MPCA), or the Minnesota Department of Natural Resources (DNR).
- H.       The Fire Chief, or other local fire authority designee will have the authority to discontinue a burn when a fire hazard exists or develops during the course of the burn, or if it is determined that the smoke emissions are offensive to occupants of the surrounding property.

Section 3. **Copy to State Agencies.** A copy of this section, or any amendment thereof, shall be submitted to the MPCA and the DNR.

Section 4. **Penalty.** Any person convicted of violating a provision of this ordinance is guilty of a petty misdemeanor and shall be punished by a fine not to exceed \$100.00

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Mayor Thomas Eckmann

ATTEST:

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Melissa Flohrs, City Clerk

Date Introduced: January 28, 2013

Date Adopted: February 25, 2013

Date Published: March 6, 2013