

ORDINANCE NO. 2-11-2019

Open Burning Ordinance

AN ORDINANCE ADOPTING REGULATIONS FOR OPEN BURNING

WHEREAS, the City of Rocksprings, Texas has a responsibility to regulate open burning in order to protect the public health, safety, welfare, and to safeguard the health, comfort, living conditions, safety and welfare of the citizens of the City of Rocksprings due to the air pollution and fire hazards of outdoor burning, open burning and refuse burning.

WHEREAS, it is necessary to establish regulations for open burning within the city of Rocksprings.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKSPRINGS, TEXAS:

SECTION 1. The Public Works Director or any authorized representative of the City of Rocksprings may inspect any property for the purpose of establishing compliance with the provisions of this Ordinance.

SECTION 2. It shall be unlawful for any person to burn or allow to be burned in the open on any public or private ground within the city any leaves, garbage, rubbish, refuse, trees, stumps, tires or materials of any kind which release obnoxious odors, smoke or other matter as, or is likely to be harmful to the public health or welfare.

SECTION 3. This Ordinance does not apply to grilling or cooking using charcoal, clean wood or propane in cooking or grilling appliances. "Clean Wood" means natural wood which has not been painted, varnished or coated with a similar material; has not been pressure treated with preservatives; and not contain resins or glues as in plywood or other composite wood products.

This Ordinance does not apply to a "campfire" which means a small outdoor fire intended for recreation or cooking not including a fire intended for disposal of waste, treated wood or refuse. "Treated Wood" means any wood that has been painted, varnished with preservatives; and contains resins or glues as in plywood or other composite wood products.

SECTION 4. Any person maintaining a fire shall extinguish the fire immediately if directed to do so by the Public Works Director or an authorized employee or representative of the City of Rocksprings.

SECTION 5. If the owner or occupant shall neglect or refuse to immediately extinguish the fire, the City is authorized to do whatever is necessary to correct the condition and to charge the cost thereof to the owner or occupant for the cost of so doing.

SECTION 6. The City shall first attempt to provide the violator with a verbal notice to comply with the City Ordinance before issuing a citation for a violation of this Ordinance. If a person refuses to abide by a request to extinguish a fire or repeats the same violation, a citation will be issued to a person in violation of this Ordinance which shall be a fine of not more than Five Hundred Dollars (\$500.00) and not less than One Hundred Dollars (\$100.00).

SECTION 7. It is hereby found and determined that the immediate passage of this Ordinance is necessary for the immediate regulation of open burning and being necessary for the immediate preservation of the public health, safety, and welfare.

THEREFORE, this Ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this 11th day of February 2019



Mayor Pauline Gonzales,
City of Rocksprings



Katherine Harris, Ed.D
City Secretary, City of Rocksprings