

ORDINANCE NO. 322

AN ORDINANCE PROVIDING FOR BURN REGULATIONS ON RESIDENTIAL OR AGRICULTURAL USE; AMENDING ORDINANCES IN CONFLICT THEREWITH; PROVIDING FEES FOR PERMITS; PROVIDING FOR PENALTY; AND DECLARING AN EMERGENCY

Be it ordained by the Mayor and Council of the City of Stilwell, Oklahoma:

SECTION 1. Burning on properties owned for residential or agricultural use is allowed by permit only. Burning is limited to yard waste generated on the property for which the permit is issued. The material to be burned shall not be brought in from another location for burning. Yard waste includes vegetation, grass, tree limbs, garden/shrub trimmings, and leaves. Burning shall not begin until 8:00 a.m and all fires shall be completely extinguished by 4:00 p.m. All burning shall observe the following safety rules:

- a. Burn only when the wind speed is between 5-15 MPH;
- b. The fire shall be attended by a responsible person at all times.
- c. Always have a charged garden hose and tools (hoe, rake, shovel) nearby.
- d. The fire shall not be within twenty-five (25) feet of any structure or vehicle.
- e. Burn piles shall not be larger than fifteen (15) feet in diameter.

SECTION 2. Permits may be obtained at the Stilwell Fire Department, Headquarters Station, located at 20 West Walnut Street, during regular business hours, 8:00 a.m. until 5:00 p.m., Monday through Friday. There shall be a fee of Five Dollars (\$5.00) for each permit issued. Permits may be issued for one to not more than three (3) days upon a singular request. The City will waive the permit fee for any resident that is sixty-two (62) years of age or older.

SECTION 3. Flammable or combustible liquids, such as gasoline, kerosene, diesel fuel, etc. can be extremely dangerous and should never be used to ignite a burn pile. Burning shall not be allowed on days that have been declared a "red alert day".

SECTION 4. COMMERCIAL BURN REGULATIONS: For the clearance of land by a commercial entity the following regulations shall be applicable, to-wit:

- a. Burning of trees and brush only. All stumps shall be removed prior to burning.
- b. Fire must be kept small. The base of the fire is to be no larger than fifteen (15) feet in diameter without an air curtain. For burn piles in excess of fifteen (15) feet in diameter an air curtain destructor (blower) shall be required.
- c. Burning will not be allowed if wind velocity exceeds fifteen (15) MPH.
- d. The fire must be attended by a responsible person at all times with burning beginning at 8:00 a.m. and all fires must be extinguished by 4:00 p.m.
- e. Safety equipment such as a garden hose, shovels, rakes and brooms must be available at the fire during the entire time of burning.
- f. All construction materials/fires must be at least 300 feet from any occupied dwelling or public roadway.
- g. The burning permit shall be required the fee for which is \$25.00 for the first day and \$10.00 per day for every consecutive day thereafter. Permits are only authorized for the day shown on the application. Applications must be procured in the same manner as for residential permits. The site must be inspected and approved before burning can occur.
- h. Flammable or combustionable liquid such as gasoline, kerosene, diesel fuel, etc. can be extremely dangerous and should never be used to ignite a burn pile.


SECTION 5: Fine and court costs for violating the provisions of this ordinance shall not less than Fifty Dollars (\$50.00) and no more than One Hundred Dollars (\$100.00) inclusive of costs.

SECTION 6: Any provisions of this ordinance that may be in conflict with the provisions of other ordinances shall prevail.

SECTION 7. EMERGENCY. WHEREAS, an immediate necessity exists therefor, for the preservation of the public peace, health and safety, an emergency is hereby declared to exist by reason whereof this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED by the City Council this 1st day of March, 2004.

Approved by the Mayor this 1st day of March, 2004.



Mayor

ATTEST:



City Clerk

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