

**ORDINACE NUMBER 2016-2**

**AN ORDINANCE SETTING REQUIREMENTS FOR BURNING OF DEBRIS FROM LAND CLEARING FOR THE PURPOSE OF DEVELOPMENT AND BURNING OF CONSTRUCTION DEBRIS WITHIN THE TOWN OF TAYLOR, MISSISSIPPI**

**WHEREAS**, according the Town of Taylor desires to protect the safety and health of the population; and

**WHEREAS**, uncontrolled burning of debris from land clearing for development or burning of construction debris may threaten the safety and health of the population;

**THEREFORE**, be it ordained by the Mayor and Board of Aldermen of the Town of Taylor, Mississippi:

Anyone wishing to burn land clearing or construction debris or trash within the corporate limits of the Town of Taylor, Mississippi, (the Town) shall be required to obtain a Lafayette County Fire Department (the Fire Department) "Burn Permit" through the Town Planning Department (Planning) before any such burning starts, in accordance with the following procedures:

1. In order to obtain a permit, individual(s), organization, or business must contact Planning and complete an Application for a Burn Permit. Upon the applicant's submission of the completed of the application, Department will contact the Fire Department.
  - A. The Fire Department shall proceed to the location of the proposed burn site, inspect the area for hazards and insure compliance with the requirements as set forth by the Town, the Fire Department, and the Mississippi Department of Environmental Quality (MDEQ).
  - B. If the Fire Department inspector is satisfied that all requirements are in order and that wind and weather conditions are suitable, the inspector shall issue a Burn Permit valid for the date or dates of issue only. Permit holder must also call the Fire Department at the telephone number on the Burn Permit the day before beginning the burn.
2. In the event Fire Department officials determine that any burning as permitted constitutes a hazard or menace to the public safety or health, the permit holder will be notified of the determination and the permit shall be thereby rescinded and the fire shall be extinguished by the permit holder.
3. **Prohibited Burning:** Commercial entities, developers, contractors, and individuals are prohibited from burning construction debris and trash of any kind, except wood and wood products, including roofing materials, felt paper, foam, plastic, and synthetic materials. Construction debris and trash that are prohibited from burning shall be removed from the premises by other means and in accordance with MDEQ regulations.
4. **Burn site and permit requirements:** In order for the Burn Permit to be issued the following shall apply:
  - A. **No later than two (2) working days before the burning is to take place,** The permit applicant shall make written application on a form provided by Planning. The application shall be accompanied with a fee of One Hundred Fifty Dollars (\$150) payable to the Town;
  - B. The burn area and/or materials to be burned shall be located a minimum of One Hundred Fifty feet (150') from the nearest structure;
  - C. The proposed site of the burn shall be free from all overhangs including eaves, tree limbs, vegetation or other materials;
  - D. There shall be no high, thick or large areas of weed, grass or any vegetation in the immediate area of the burn site which may ignite and endanger the safety or health of persons, animals or structures;

E. The burn site shall not be adjacent to or in near proximity to fuel storage tanks, storage facilities containing flammable or explosive materials, or homes, buildings, or institutions known to house persons with respiratory ailments (e.g., asthma, emphysema), or day care facilities, schools, or medical facilities;

F. Sufficient water supply and hose must be readily available and easily accessible to the area and location of the burn. Hose and the nozzle shall be attached to the water supply at the burn site;

G. The burn site shall be **ATTENDED AT ALL TIMES** by sufficient persons able to manage and control the fire;

H. An approved blower shall be on site and operating during the burn process;

I. All MDEQ, United States Environmental Protection Agency, and other Government guidelines shall be followed at all times during the burn process;

J. All burning, as permitted, shall not exceed the time allotted on the face of the permit and in no event may burning exceed three consecutive days without a renewal permit being issued by the Fire Department. Renewal permits will be issued without any additional fees;

**K. Limited small scale on site burning of non-prohibited materials (convenience burning) is allowed without a permit, provided that the burning is contained within a metal container no larger than thirty-five inches (35") in height and twenty-four inches (24") wide.**

Any person or entity failing to bring the hot burn site into compliance shall be denied a permit.

5. **Enforcement:** Anyone burning prohibited materials, or burning without a permit, or burning in a manner deemed non-compliant with the terms and scope of a permit shall be subject to any remedies, at law or in equity, available to the Town and any person aggrieved thereby, and, in addition or in supplementation thereto, may be subject to any of the following administrative actions: (A) cease and desist orders; (B) a fine of up to the amount of Five-Hundred Dollars (\$500) for each violation (each day of a violation shall be treated as a separate violation); (C) permit revocation; and/or (D) a stop work order on all construction activities of the permit holder and/or the developer or owner of the area on which the burning is taking place if deemed necessary in the discretion of the Town and the Fire Department.


6. No burning shall be permitted when it is determined by the Fire Department that wind and/or weather conditions are not suitable or when a **NO BURN ORDER** has been issued by the Town, Lafayette County Board of Supervisors, or any State or Federal agency.

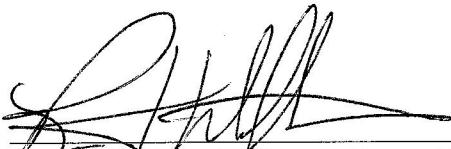
This ordinance shall take effect and be in force on and after the 5<sup>th</sup> day of May, 2016.

UPON THE MOTION of Alderman Bridges, duly seconded by Alderman Willingham, the aforementioned ordinance was put to a vote with the voting as follows:

Alderman Tim Bridges:	Voted Yes;
Alderman Betty Kisner	Absent;
Alderman Courtney Covington	Voted Yes;
Alderman Ellen Meacham	Voted Yes;
Alderman Jimmie Willingham	Voted Yes.

ORDAINED AND ADOPTED, this the 5<sup>th</sup> day of April, 2016.

  
James E. Hamilton, Mayor  
Taylor, Mississippi  
(SEAL)

  
Attest: Richard Williams, Town Clerk  
Taylor, Mississippi