

ORDINANCE NO. 74-4

AN ORDINANCE PROHIBITING THE OPEN BURNING OF TRASH OR OTHER COMBUSTIBLE MATERIALS, AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF:

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ANDALE, KANSAS:

SECTION 1. From and after the publication of this Ordinance, it shall be unlawful for any person to conduct or permit within the City of Andale, Kansas, any open burning of any materials wherein contaminates resulting from such combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber as described in Section 2 hereof; provided that such open burning prohibition shall not apply to (1) open fires for cooking or ceremonial purposes in facilities constructed specifically for such purposes on public or private premises used for recreational purposes, provided that any such fire so started shall be extinguished and made safe before the person starting or maintaining the same shall leave the place where the fire was started, (2) or the burning of combustible material in indoor fireplaces.

SECTION 2. An enclosed chamber device or structure used for the destruction, or volume reduction of garbage, rubbish, solid liquid or solid waste materials by combustion pursuant to disposal or salvaging operations may be used, provided that such device has multiple chambers consisting of three or more refractory-lined combustion furnaces in series, physically separated by refractory walls, interconnected by gas passage ports or ducts and employing adequate design parameters necessary for maximum combustion of the material to be burned, or complies with any alternative state regulations applicable to incinerators.

SECTION 3. It shall be prima-facie evidence that the person who owns or controls property on which open burning occurs has caused to permit its said open burning.

SECTION 4. Person, for purposes of this Ordinance, means every natural person, firm, co-partnership, association or corporation.

SECTION 5. Any person, individual, partnership, corporation or association who violates any of the provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Five Hundred (\$500.00) dollars or by imprisonment for not more than one (1) year, or both.

SECTION 6. This Ordinance shall take effect January 1, 1975 and be in force from and after its publication once in the official city paper.

PASSED and APPROVED by the Governing Body the 13 day of December, 1974.


Approved By The Mayor

ATTEST:

