

COPY

ORDINANCE NO. 65-2
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AN ORDINANCE PROHIBITING THE BURNING OF LEAVES, OR TRASH, WITHIN PRESCRIBED HOURS, PROHIBITING THE BURNING OF LEAVES OR TRASH ON ANY OF THE PUBLIC STREETS IN THE TOWN OF POSEYVILLE, INDIANA, AND PROVIDING FOR PENALTIES FOR VIOLATION THEREOF.

BE IT ORDAINED AND ENACTED by the Board of Town Trustees of the Town of Poseyville, Indiana, as follows:

ARTICLE I.

Section 101. As used in this Ordinance, the word "trash" shall refer to any and all waste or scrap material of a combustible nature, whether the same be of a natural or synthetic composition.

As used in this Ordinance, the word "streets" shall refer to any and all public thoroughfares within the Town of Poseyville, Indiana, regardless of the nature of the composition used as a surfacing thereon.

Section 102. It shall be unlawful for any person, partnership or corporation to burn, or caused to be burned, leaves or trash within the corporate limits of the Town of Poseyville, Indiana, between the hours of 6:00 P.M. Eastern Standard Time and 6:00 A.M. Eastern Standard Time, being that period of time which includes the hours of darkness.

Section 103. It shall be unlawful for any person, corporation, or partnership to burn, or caused to be burned, any leaves or trash on any of the streets within the corporation limits of the Town of Poseyville, Indiana, regardless of the hour of day or night.

ARTICLE II.

Section 201. Any person found to be in violation of this

Section 202. In the event any person deemed to be guilty of any violation of the terms of this Ordinance shall fail to pay the fine as provided herein, then an affidavit may be filed in any Justice of the Peace Court by the arresting party, and the same shall be tried in said Court in the same manner as are other law violations.

Section 203. This Ordinance shall be in full force and effect from and after the passage and publication for two weeks successively in a newspaper of general circulation, printed and published in the English language in the Town of Poseyville, Posey County, Indiana, and by posting printed or written copies of said Ordinance for a period of two weeks in each ward therein

Passed, ordained and established this 1st day of September, 1965.

Truman O. Butler
TRUMAN O. BUTLER

Omar Wiggins
OMAR WIGGINS

Paul D. Blaylock
PAUL D. BLAYLOCK

Board of Town Trustees

ATTEST:

Neva E. Newman
Neva E. Newman,
Clerk-Treasurer

There are rules for safe residential burning.

Because of high regional ozone levels, **no household or yard waste may be burned by residents in Lake, Porter Clark or Floyd counties.** In all other counties where ozone levels are safer, open burning of clean wood products may be permitted according to the following rules. This brochure should be considered a summary of the rules and is not to be relied upon as legal advice. Please refer to 326 IAC 4-1 and IC 13-17-9 for state regulations (this is available online at www.in.gov/legislative/ic_ia). Your town, city or county may also have an ordinance that could be more restrictive than the state laws. Call your local health department, fire department or government offices before burning.

According to state law, these rules must always be followed:

- ✓ Only clean wood products may be burned. Wood products coated with stain, paint, glue or other coatings are not safe to burn.
- ✓ Burning must be done during safe weather conditions, not during high winds or on pollution alert days or ozone action days.
- ✓ Fires must be attended until completely extinguished.
- ✓ Burning must be done during daylight hours and extinguished prior to sunset.
- ✓ Fire fighting equipment adequate for the size of the fire must be nearby.
- ✓ Material may only be burned in a noncombustible and ventilated container, such as a metal drum with enclosed sides and bottom. Burning on the ground is illegal.
- ✓ Open burning is not allowed at mobile home parks, apartment or condominium complexes or buildings of more than four dwelling units.
- ✓ Fires must be extinguished if they create a fire hazard, nuisance, pollution problem or threat to public health.
- ✓ Burning must comply with all other federal, state and local laws, rules and ordinances.

If you witness illegal burning...

Call (800) 451-6027, press 0 and ask for extension 3-0178, or (317) 233-0178, and have a copy of this brochure sent to the violator. Education is the Indiana Department of Environmental Management's preferred method of achieving environmental compliance. In cases where open burning laws are ignored, enforcement options exist. IDEM encourages towns, cities and counties to adopt burning ordinances because enforcement is often more effective at the local level.

Violators may have to pay a fine or pay the costs of having a fire extinguished. If the fire escapes, the violator may have to cover property damage costs.

