

Ordinance No. 46

[Regulating Open Burning]

AN ORDINANCE REGULATING OPEN BURNING

The Village Council of the Village of Medicine Lake ordains as follows:

Section .01: **Refuse Burning Restrictions**

No person shall dispose of refuse by open burning, or cause, suffer, allow or permit open burning of refuse.

Section .02: **Prohibitions of Salvage Operations by Open Burning**

No person shall conduct, cause or permit the conduct of a salvage operation by open burning.

Section .03: **Restriction on Open Burning of Tree Leaves**

The open burning of leaves is prohibited.

Section .04: **Exceptions**

Exceptions herefrom may be allowed upon application and approval by the Village Council provided that the burning is not prohibited by or is conducted in compliance with other applicable laws, ordinances and regulations. Exemption to conduct open burning under the provision of this regulation does not excuse a person from the consequences, damages, or injuries which may result therefrom. The following are exceptions for which application may be made.

- (1) Fires purposely set for the instruction and training of public and industrial fire-fighting personnel.
- (2) Fires set for the elimination of a fire hazard which cannot be abated by any other practicable means.
- (3) Fires purposely set for forest or game management in accordance with practices recommended by the Minnesota Department of Conservation, the Minnesota Department of Agriculture and the United States Forest Service.
- (4) The burning of hydrocarbons which must be wasted through the use of atmospheric flares.
- (5) Fireplaces and Outdoor Cooking Fires: The use of indoor and outdoor fireplaces and outdoor fires for the purpose of cooking, warmth, or recreational purposes is permitted without permit under this ordinance, provided, however, that such fires shall not be used for purposes of refuse disposal and shall meet other ordinance requirements of the Village.

- (6) Construction Fires: Open fires used in construction work for ground thawing in the winter are not prohibited by this ordinance. Salamanders or other devices may be used for heating in construction or other work. No permit shall be required. This Exemption for such fires does not exclude such fires from compliance with the regulatory provisions of this ordinance and other ordinances of the village.

Adopted by the Village Council of the Village of Medicine Lake this 1st day of February, 1971.

Neal E. Sorensen, Mayor

Attest: Robert P. Rascop, Clerk