



## **ORDINANCE NO. 13** v1.2

### AN ORDINANCE REGULATING BURNING OF TRASH, REFUSE, ETC.

The Council of the City of Pine Springs does hereby ordain as follows:

#### SECTION 1.

Air Pollution Control Rules, Regulations, and Air Quality Standards of the Minnesota Pollution Control Agency, 1969 Edition, and subsequent amendments thereto are hereby adopted by reference, with exceptions set forth in this Ordinance.

#### SECTION 2. DEFINITIONS

Whenever used in this Ordinance, words shall have meanings as follows:

- a) OPEN FIRE shall mean any fire from which the products of combustion are emitted directly into the open atmosphere without passing through an adequate stack, duct or chimney.
- b) PERSON shall mean any individual, natural person, firm, company association, organization, partnership, business, trust, club, institution, corporation, or any Federal, State, County, or Local governmental agency.
- c) REFUSE AND TRASH shall mean all putrescible and nonputrescible solid wastes, including, but not limited to, garbage, rubbish, trash, ashes, street cleanings, leaves, brush, sweepings, junk, abandoned automobiles, and solid market and industrial waste, paper, wrappings, cardboard, tin cans, wood, bedding, and all other waste materials which if burned would produce or emit air contamination.
- d) CONTROL EQUIPMENT shall mean any device, approved by the Minnesota Pollution Control Agency, which has the function of controlling or abating the emission of air contamination into the atmosphere.
- e) RECREATIONAL FIRES are small fires started for cooking or other recreational purposes and not for the purpose of disposing of any refuse or other materials.

#### SECTION 3. OPEN BURNING PROHIBITED

No person shall cause, or permit the opening burning of any trash, refuse, or rubbish, within the City of Pine Springs.

#### SECTION 4. TRASH BURNING REGULATED

Any of the materials described in Section 2, may be burned within the City of Pine Springs if such materials are burned in an incinerator of sufficient size and capacity as approved by the Minnesota Pollution Control Agency.

**SECTION 5. EXCEPTIONS**

The following open burning shall be excepted from the regulations of this Ordinance, provided that, an appropriate permit shall be first obtained.

- (a) Outdoor burning may be used for cooking, warmth, or recreational purposes provided, however, that such fires shall not be used for the purpose of refuse disposal.
- (b) Fires set for the instruction and training of public and industrial fire fighting personnel.
- (c) Fires set for the elimination of fire hazards which cannot be abated by any other practical means.
- (d) The burning of trees, brush in property clean up in the clearing of land in the right of way maintenance operations, and in agricultural crop burning.

**SECTION 6. SPECIAL BURNING PERMITS REQUIRED**

Burning pursuant to Section 5 (b), (c), and (d) shall only be permitted upon the issuance of a special permit by the Council members or the City Clerk under the following conditions:

- (a) The permittee, or his authorized representative, will be present at any fire so allowed.
- (b) Such burning will be done only when weather conditions are such that the resultant smoke will be carried away from neighboring residences or other effected property owners or public roadways.
- (c) That such permit be subject to revocation at any time that the City determines that there is a practical, available alternate method for disposal of the material to be burned or that such burning would constitute a fire hazard, or health hazard, or that a traffic hazard would result.

**SECTION 7. PENALTY**

Any person violating any provisions of this Ordinance shall be subject to a fine as defined in the "PENALTIES – Burning trash/refuse" section of the City Ordinance Fee Schedule or imprisonment for a period not to exceed ninety (90) days, or both.

**SECTION 8. EFFECTIVE DATE**

This Ordinance shall take effect and be in force from and after its passage and publication.

Passed by the Council of the City of Pine Springs July 5, 1972.

Paul Linnerooth (signature)  
Mayor

Attest:  
R. G. Zietlow (signature)  
Clerk

**Revision History**

<b>Ver.</b>	<b>Changes</b>	<b>Date Changed</b>
1.0	Adopted by the City Council	Jul 5, 1972
1.1	Amended by Ordinance 26	Nov 10, 2020
1.2	Amended by Ordinance 27	Dec 8, 2020