

ORDINANCE 246

AN ORDINANCE TO REGULATE OPEN BURNING IN THE CITY OF BARLING, ARKANSAS

BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF BARLING, ARKANSAS, THAT

SECTION 1: It shall be unlawful for any person to burn any waste articles either in an open manner, or in a container, within the City of Barling, Arkansas, except under the following conditions:

(a) Only materials described in Act 1151, Section 1.(2) of 1997 (State of Arkansas) and referred to as "yard waste" may be disposed of by open burning, and

(b) said activity shall be conducted in accordance with Section 501 of the Arkansas Fire Prevention Code of 1992 as adopted by the City of Barling, Arkansas as its Fire Prevention Code, and

(c) the property owner has secured a valid permit for such activity from the Barling Fire Chief or his designated representative.

SECTION 2: During periods of weather conditions causing a high fire danger, the Chief of the Fire Department is empowered to issue a prohibition against all burning within the City of Barling, Arkansas and to cause the cessation of the issuance of permits until such time as the danger has abated. Further, the City of Barling, Arkansas will follow the issuance of any ban on open burning by the Sebastian County Judge due to conditions present or by the Arkansas Department of Pollution Control and Ecology in conformity with the provisions of Act 1151, Section 3.(e).

SECTION 3: No open burning of any type of household waste shall be permitted, nor shall such waste be disposed of by burning in a container or barrel. Contractors wishing to dispose of construction waste by open burning shall be allowed to do so provided a valid permit has been secured as in 1(c), and only materials composed of cellulose shall be disposed of by burning. Materials such as roofing, felt paper, paint, drywall, all plastics, and any other non-wood material must be disposed of by other means.

SECTION 4: The Fire Department is empowered to extinguish any and all fires in violation of this Ordinance.

SECTION 5: Persons found in violation of this Ordinance shall be deemed guilty of a misdemeanor, and shall be fined in a sum not less that \$50.00 and not more than \$200.00

SECTION 6: Any ordinances or parts of ordinances in conflict herewith are hereby repealed and, specifically, Ordinance No.169 is hereby repealed.

PASSED AND APPROVED this 24th day of June, 1997

ATTEST:


SHARON STOCKTON, CITY CLERK


JERRY BARLING, MAYOR