

TITLE. Open Burning Ordinance of Appanoose County, Iowa.

Be It Enacted by the Board of Supervisors of Appanoose County, Iowa:

Section 1. Purpose. The purpose of this ordinance is to authorize the Appanoose County Board of Supervisors to prohibit open burning in Appanoose County during periods when open burning poses a threat to the public health, safety and welfare, and to provide a penalty.

Section 2. Definitions. For the purpose of this ordinance, the following words or terms used herein shall be interpreted or defined as follows:

1. "Open burning" shall mean the burning of any material wherein air contaminants resulting from combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber. For the purpose of this definition, a chamber shall be regarded as enclosed, when during the time combustion takes place, only such apertures, ducts, stacks, flues or chimneys as are necessary to provide combustion air and to permit the escape of exhaust gases are open.
2. "Refuse" shall mean garbage, rubbish and all other putrescible and nonputrescible wastes, except sewage and water-carried trade wastes.
3. "Board" shall mean the Appanoose County Board of Supervisors.
4. "Farmstead" shall mean the buildings and adjacent service areas of a farm.

Section 3. Resolution Required for Prohibiting Open Burning. If, the Board determines that open burning in Appanoose County poses a threat to the public health, safety and welfare, the Board shall, by resolution, impose a prohibition of such burning in Appanoose County.

Section 4. Notice to Public of Ban on Open Burning. Upon adoption of the resolution provided for in Section 3, notice of the prohibition of open burning shall be published in as many publications necessary to insure county-wide notification. Such notification shall state the effective date of the prohibition of open burning and any other information the Board deems necessary for the effective implementation and enforcement of said prohibition. (If applicable, broadcast media could also be utilized in this section.)

Section 5. Cancellation of Prohibition. When conditions are such that open burning in Appanoose County no longer poses a threat to the public health, safety, and welfare, the Board shall, by resolution, cancel such prohibition. The public

shall be notified in the same manner provided for in Section 4.

Section 6. Exemption. The provisions of this ordinance shall not apply to open burning on a farmstead proper of refuse generated by the inhabitants of the corresponding farmhouse.

Section 7. Penalty. Any person found in violation of the provisions of this ordinance shall be guilty of a simple misdemeanor.

Section 8. When Effective. This ordinance shall be in effect after its final passage, approval and publication as provided by law.