

ORDINANCE NO. 981

ORDINANCE OF THE CITY OF PAYETTE, IDAHO, BANNING BURNING EXCEPT UNDER CERTAIN CONDITIONS: SETTING TIMES WHEN BURNING IS PERMISSIBLE; REQUIRING PERMITS; SETTING A FEE FOR PERMITS; EXCEPTING WOOD BURNING STOVES; PROHIBITING BURNING ON CITY PROPERTY; SEVERABILITY; REPEALER; EFFECTIVE DATE:

BE IT ORDAINED by the Mayor and City Council of the City of Payette that:

Section 1: It shall be unlawful to burn garbage, refuse, weeds, grasses, fields, or any combustible matter within the City Limits of Payette, except as herein provided.

Section 2: Unless otherwise designated by the Mayor and City Council burning shall be permitted during the month of April and the month of October each and every year, between the hours of 8:00 a.m. and 8:00 p.m. This one month period may be moved forward or backward in the discretion of the Mayor and the City Council upon resolution of the Council.

Section 3: During the period of time when burning is allowed, any person seeking to burn shall apply with the City Clerk and obtain a permit for burning. This permit shall cost the applicant five dollar (\$5.00). At the time of seeking the permit, the applicant shall provide the Clerk with the following information:

1. Applicant's name, address, telephone number, date and time of intended burning.
2. Address where the burning will take place if different from the applicant's address.
3. Ownership of the property where the burning will occur.
4. Type of substance that is being burned.

Section 4: There shall be no burning of any substance which is designated as hazardous waste or hazardous material by the EPA.

Section 5: The use of burning barrels is strictly prohibited as is the burning of household garbage.

Section 6: The prohibition of this Ordinance shall not apply to wood burning stoves.

Section 7: No burning shall be done upon any City Street, right of way, easement or property.

Section 8: Anyone who violates this Ordinance shall be guilty of a misdemeanor and punished in accordance with the general misdemeanor laws of the State of Idaho.

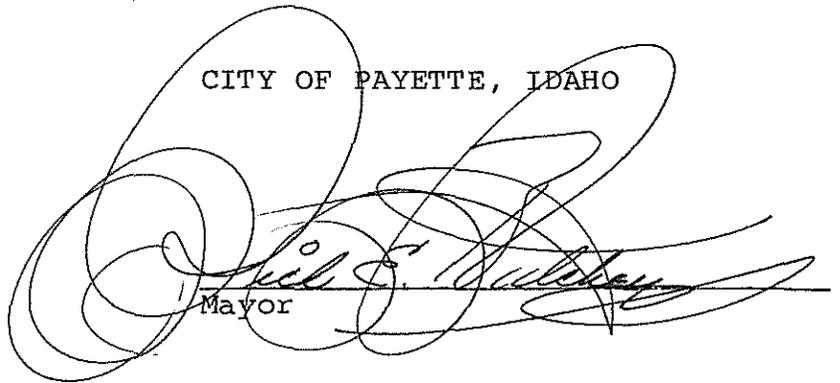
Section 9: Any portions of any existing Ordinances which are in direct conflict with this Ordinance are hereby repealed insofar as the conflict exists.

Section 10: If any portion of this Ordinance is found to be unenforceable or unconstitutional for any reason, the remaining portion of this Ordinance shall remain in full force and effect.

BE IT ORDAINED AND RESOLVED THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS APPROVAL, PASSAGE AND PUBLICATION AS REQUIRED BY LAW.

This Ordinance shall be in full force and effect on the 18 day of April, 1988.

CITY OF PAYETTE, IDAHO



Mayor

ATTEST:

John P. Franks
City Clerk