

CITY OF FORT DODGE

ORDINANCE NO. 2122

AN ORDINANCE PROHIBITING THE BURNING OF “SOLID WASTE” AND YARD WASTE WITHIN THE CITY OF FORT DODGE PROVIDING PENALTIES FOR THE VIOLATION THEREOF AND REPEAL OF ORDINANCES IN CONFLICT HEREWITH

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT DODGE, IOWA:

SECTION I. PURPOSE

The purpose of this Ordinance is to prohibit the outdoor and open burning of “solid waste” and “yard waste” within the city of Fort Dodge.

SECTION II.

8.38.010 FDMC. No person, firm or corporation shall burn in the “open” and / or “outdoors” any “solid waste” or “yard waste” as defined by Ordinance 1948 Section 2, Ordinance 1772 Section 2, Section 8.16.010 of the Fort Dodge Municipal Code; or construction/demolition waste; except:

- 1) DNR/EPA certified incinerator complying with all applicable laws, ordinances and codes.
- 2) Cut firewood when used for recreational cooking, heating, and recreational purposes and contained in an outdoor fireplace or pit with a fuel area of 3 feet or less in diameter and 2 feet or less in height; designed, built, and marketed specifically for outdoor burning in accordance with all codes, laws, and ordinances applicable thereto.
- 3) State and Fort Dodge Fire Department approved training fires.
- 4) Other exceptions approved by the Fire Department Chief by permit.

SECTION III. REPEALER

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

SECTION IV. PENALTY CLAUSE

Any person in violation of the provision hereof shall be subject to the penalties provided by Ordinance 1999 Section II (Section 1.20.020 FDMC)

SECTION V. SEVERABILITY

If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION VI. EFFECTIVE DATE

This Ordinance shall be in full force and effect after its final passage, approval and publication as by law provided.

Passed for first consideration by the City Council, City of Fort Dodge, Iowa, this 12th day of April, 2010.

Ayes: Hindman, Wilson, Halverson-Collins, Olson, Patterson, and Fritz

Nays: None

Other: Absent: Flattery

Passed for second consideration by the City Council, City of Fort Dodge, Iowa, this 26th day of April, 2010.

Aye Hindman, Flattery, Wilson, Olson, Patterson and Fritz

Nay None

Other Absent: Halverson-Collins

Passed and adopted upon third consideration by the City Council of the City of Fort Dodge, Iowa, this 10 day of SMay, 2010.

Aye Hindman, Flattery, Wilson, Halverson-Collins, Olson, Patterson, Fritz

Nay None

Other _____



Matt Bemrich, Mayor

ATTEST: Barb Barrick
Barb Barrick, Clerk

Published in The Messenger this _____ day of _____, 2010.