

ORDINANCE 923

AN ORDINANCE AMENDING TITLE IX, CHAPTER 91, SECTION 91.24 TO PROHIBIT DISCHARGE OF FIREWORKS IN THE FIRE LIMITS; PROVIDING FOR PENALTIES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GOTHENBURG, NEBRASKA AS FOLLOWS:

Section 1. Title IX, Chapter 91, is hereby amended by amending Section 91.24 of the Gothenburg Municipal Code to read as follows:

§ 91.24 FIRES REGULATED; OPEN BURNING BAN; EXCEPTION.

(A) It shall be lawful to build or set out fires outside of the fire limits; provided, that the person building the fires shall have the substance to be burned in a fireproof trash burner or incinerator with a metal fireproof screen of not more than one-inch mesh. The incinerator shall be built in such a way as to not permit the escape of burning paper or other substance. Open fires and discharge of fireworks shall be prohibited within the fire limits.

(Prior Code, § 7-204)

(B) (1) There shall be an open burning ban on all bonfires, outdoor rubbish fires, and fires for the purpose of clearing land.

(2) The Fire Chief may waive an open burning ban under division (B)(1) of this section for an area under the municipal Fire Department's jurisdiction by issuing an open burning permit to a person requesting permission to conduct open burning. The permit issued by the Fire Chief to a person desiring to conduct open burning shall be in writing, signed by the Fire Chief, and on a form provided by the State Fire Marshal.

(3) The Fire Chief may waive the open burning ban in the municipal Fire Department's jurisdiction when conditions are acceptable to the Chief. Anyone intending to burn in that jurisdiction when the open burning ban has been waived shall notify the Fire Chief of his or her intention to burn prior to starting the burn.

(4) The Fire Chief may adopt standards listing the conditions acceptable for issuing a permit to conduct open burning under division (B)(2) of this section.


(5) The Fire Department may charge a fee not to exceed \$10 for each such permit issued. This fee shall be remitted to the governing body for inclusion in the general funds allocated to the Fire Department. These funds shall not reduce the tax requirements for the Fire Department. No such fee shall be collected from any state or political subdivision to which such a permit is issued to conduct open burning under division (B)(2) of this section in the course of that state's or political subdivision's official duties.

Section 4. A copy of prior Section 91.24 is attached hereto as Exhibit A and incorporated herein by this reference.

Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

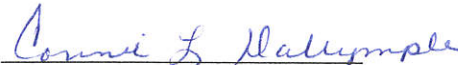
Section 6. This ordinance shall become effective after its posting and publication as provided by law. Passed and approved this 6th day of October, 2015.

City of Gothenburg,



Joyce Hudson, Mayor

ATTEST:



Connie Dalrymple, City Clerk

APPROVED AS TO FORM:

Michael L. Bacon, City Attorney

Exhibit A
Previous Code Sections

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