

AN ORDINANCE AMENDING
CHAPTER 9, SECTION 9-4 OF CODE OF
THE CITY OF MAHIRA, GEORGIA
TO PROVIDE FOR OPEN BURNING WITHIN
THE CORPORATE LIMITS OF THE CITY OF
MAHIRA, GEORGIA

BE IT ENACTED AND ORDAINED by the Mayor and Council of the City of Mahira as follows:

SECTION 9-4. Open Burning:

(a) As written in ordinance.

(1) Open Burning: May be done under verbal permit as follows:

(a) No person shall kindle or maintain any kind of fire such as bonfires, rubbish, brush, trash, papers, leaves or garbage without a verbal permit from the Mahira Fire Department. The burning of garbage or refuse that smolders or gives off noxious odors is prohibited.

(b) Chief may prohibit: The Chief of the Mahira Fire Department or his designate may prohibit any and all fires outdoors when atmospheric conditions or local circumstances make such fires hazardous. Primary concern will be the protection of property and the health, safety and comfort of persons from the effects of burning.

(c) Open burning of leaves and rubbish: The burning of leaves and rubbish within the city limits of the City of Mahira is prohibited except as follows:

1. The open burning of leaves and rubbish shall be permitted daily between the hours of 8:00 a.m. and sundown. Smoke will be extinguished by sundown.

2. No person shall burn any leaves or rubbish unless the fire is at least 20 feet from any structure.

3. Any fire shall be constantly attended by a competent person until such fire is extinguished.

4. This section shall control in case of conflict with any other city ordinance.

(d) Penalty: Any person, firm or corporation convicted of violating any provision of this ordinance shall be fined not less than \$5.00 nor more than the maximum penalty as provided by the Charter of the City of Mahira, for each offense and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

SECTION 3-4.

(2) Open burning may be done without a permit as follows:

(a) Open fires may be set in performance of an official duty of any public officer if the fire is necessary for one (1) or more of the following reasons or purposes:

1. For the prevention of a fire hazard which cannot be abated by other means.
2. For the instruction of public firefighters or industrial employees under the supervision of the fire chief; or
3. For the protection of public health.

(b) Fires may be used for the cooking of food, provided no smoke violation or other nuisance is created.

(c) Salamanders or other devices may be used for heating by construction or other workers, provided no smoke violation or other nuisance is created.

(d) Fires may be set in the course of agricultural operations in growing crops or raising fowl or animals, provided no nuisance is created.

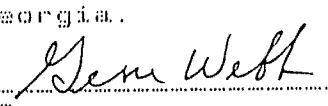
(e) Open fires such as campfires may be set for recreational purposes, provided no smoke violation or nuisance is created.

4. Severability: The provisions of this ordinance are severable and if any sentence, section or other part of this ordinance should be found to be invalid, such invalidity shall not affect the remaining provisions and the remaining provisions shall continue in full force and effect.

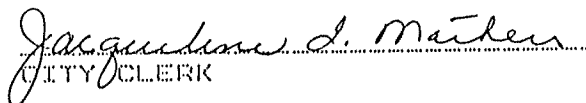
5. Conflicts: All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

6. Effective Date: This ordinance shall become effective immediately upon passage.

PROPOSED AND READ on the 3rd day of April, 1986 by the Mayor and Council of the City of Mahira, Georgia.


MAYOR

ATTEST:


CITY CLERK