

ORDINANCE NO. 21-06

AN ORDINANCE REPEALING ORDINANCE NUMBER 20-04; REGULATING THE BURNING OF FIRES WITHIN THE CITY; REQUIRING RESIDENTS TO OBTAIN A PERMIT PRIOR TO BURNING A FIRE; PRESCRIBING A PENALTY FOR VIOLATIONS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the burning of fires within the City present a danger to residents and structures within the City; and

WHEREAS, the City desires to regulate the burning of fires within the City;

WHEREAS, the City enacted Ordinance Number 20-04 to regulate the burning of fires within the City of East Camden; and

WHEREAS, the City desires to repeal Ordinance Number 20-04 in its entirety and substitute this Ordinance in its place.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EAST CAMDEN, ARKANSAS, THAT:

SECTION 1. It shall be unlawful for any person to have and maintain a fire within the City without first obtaining a burning permit from the East Camden Fire Department.

SECTION 2. The East Camden Fire Department may issue a burning permit after review subject to the following rules:

- a. Burning permits may be issued for a period up to one (1) year.
- b. The permit is issued to an individual, not to the location. If there is a change in residency at a location, the new resident must request a new permit.
- c. Burning of unenclosed yard debris may be conducted between sunrise to sunset.
- d. Burning may only be conducted on Fridays, Saturdays or Sundays.
- e. Burning after sunset must be done in a burn barrel or in a fire pit with sides at least twelve (12) inches high.
- f. Fires must be located at least fifty (50) feet from any structure.
- g. A responsible party shall constantly attend the fire.
- h. A garden hose or other suitable fire extinguisher shall be kept in readiness and attached to a water supply. The hose shall be "charged", meaning that the water supply is turned on and water is ready to be released by the valve at the end of the hose.
- i. All combustibles shall be cleared for a space of ten (10) feet on all sides of the fire area.
- j. All fires not contained in a burn barrel or burning pit must be extinguished at sunset.

k. Only yard debris, such as leaves and limbs, shall be burned. Building materials, paper or trash may not be burned, even with a burning permit.

l. Burning is prohibited if winds are in excess of ten (10) miles per hour.

m. Burning shall not be permitted, with or without a permit, during a burn ban declared by the Ouachita County Judge.

SECTION 2. Residents shall be provided with a copy of this ordinance when a burning permit is issued. The resident shall sign at the bottom stating that he/she understands and agrees with the terms and conditions of the permit issued under this ordinance. The Fire Department shall retain a copy of the ordinance signed by the resident.

SECTION 3. Violations of this ordinance shall be prosecuted in the East Camden Division of the Ouachita County District Court.

SECTION 4. Persons convicted of violating this ordinance shall be fined no more than Five-Hundred Dollars (\$500.00). Provided however, that a person allowing a fire to cross onto another's property shall be fined up to One-Thousand Dollars (\$ 1,000.00).

SECTION 5. All ordinances in conflict herewith, including but not limited to, East Camden Ordinance Numbers 12 and 20-04, are hereby repealed.

EMERGENCY CLAUSE. It is hereby determined that an emergency exists by reason of the danger posed by unregulated fires in the City. An emergency is hereby declared to exist, and in order to protect the health, safety and welfare of the City's residents, this Ordinance shall be of full force and effect from and after the date of its passage.

PASSED AND APPROVED THIS 16th DAY OF December, 2021.

/s/ Angie McAdoo
Angie McAdoo, Mayor

/s/ Amanda Cathey
Amanda Cathey, City Clerk

**I HAVE READ AND AGREE TO THE ABOVE TERMS AND CONDITIONS FOR THE
ISSUANCE OF A BURNING PERMIT:**

Signature

Printed name

Address

Telephone number