

ORDINANCE NO. 2015-01

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF MANLY, IOWA, BY REPEALING CHAPTER 105, SECTION 105.05, "OPEN BURNING RESTRICTED", SUBSECTIONS 4 IN ITS ENTIRETY, AND ADOPTING A NEW SUBSECTION 4 IN LIEU THEREOF TO ESTABLISH A BURNING BAN

BE IT ORDAINED by the City Council of the City of Manly, Iowa:

Section 1: That the City Code of the City of Manly, Iowa, should be and the same is hereby amended by repealing Subsection 4 in Chapter 105 "Solid Waste Control", Section 105.05: Open Burning Restricted, and adopting a new Subsection 4, in lieu thereof as follows:

CHAPTER 105  
SOLID WASTE CONTROL  
SECTION 105.05  
OPEN BURNING RESTRICTED

4. Recreational Fires. Open fires for cooking, heating, camping, and recreation using liquefied petroleum gas, natural gas, charcoal or clean untreated wood in excess of one and five-eighths inches ( $1\frac{5}{8}$ " ) minimum dimension (no building materials, leaves or other yard waste) as fuel are permitted, provided that they comply with the adopted fire code.

No recreational fires shall be permitted after twelve o'clock (12:00) midnight or before twelve o'clock (12:00) noon.

If smoke emissions from a recreational fire cause a problem, the fire shall be extinguished by order of the fire chief, police chief or his/her designee.

5. It is illegal to accumulate landscape waste on any public street or alley or right-of-way. It is the responsibility of the abutting property owner to dispose of such waste properly in accordance with this chapter. No open burning of landscape waste, or any combustible material is allowed in the city limits unless provided for in this Section.

6. Any violation of this code section shall be punishable by a \$200.00 fine for the first offense and a \$350.00 fine each time thereafter.

Section 2: That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3: If any section, provision, or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section thereof, or part thereof, not adjudged invalid or unconstitutional.

Section 4: This ordinance shall be in full force and effect upon its final passage, approval and publication as required by law.

PASSED AND APPROVED this 17th day of February, 2015.

/s/Kevin Issacson  
Kevin Isaacson, Mayor

ATTEST:  
/s/Dee Dunbar  
Dee Dunbar, City Clerk

1<sup>st</sup> consideration: January 15, 2015  
2<sup>nd</sup> consideration: February 2, 2015  
3<sup>rd</sup> consideration: February 17, 2015