

Ordinance # 2008-12

**ORDINANCE OF THE CITY OF RIESEL, TEXAS
PROHIBITING OUTDOOR BURNING DURING BURN BANS OR WITHIN
FIFTY FEET OF A BUILDING OR STRUCTURE AND PROVIDING FOR
PENALTIES FOR VIOLATION
OF ORDINANCE; PROVIDING AN EFFECTIVE DATE;
AND RESCINDING ALL ORDINANCES IN CONFLICT**

WHEREAS, outdoor burning during periods of drought or unreasonable close to buildings or structures creates an unreasonable risk of uncontrolled spread of fire, endangers the health and safety of the citizens of the City, and poses a threat to buildings and structures located within the City, and

WHEREAS, the City Council of the City of Riesel finds that it is necessary to prohibit outdoor burning during periods when a McLennan County and/or a City burn ban is in effect or within fifty (50') feet of a building or structure in order to protect the health, safety and welfare of the citizens of the City of Riesel.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIESEL, TEXAS THAT:

1. It shall be unlawful for any person to ignite, burn, or cause to be burned any trash, leaves, limbs, debris, clippings, or other combustible material upon any premises within the city limits of the City of Riesel, Texas:

(a) during any period when a burn ban has been declared by the McLennan County Commissioners Court or the County Judge;

(b) during any period when a burn ban has been declared by the City Council; or

(c) within fifty (50') of a building or structure.

2. It shall not be unlawful under Section 1 above for a person to cook on an outdoor grill or enclosed pit if the fire is sufficiently contained within the covered grill or enclosed pit so as to prevent escape and spread of the fire. This Ordinance also does not make unlawful the burning of such materials in a stove or fireplace within a building or residence provided with proper flues and chimneys.

3. Notice of a City burn ban will be posted on the public notice board at City Hall when imposed, and will be published in the local newspaper as soon as possible thereafter. However, the burn ban will be effective immediately upon passage.

4. A person who violates this Ordinance shall be deemed guilty of a misdemeanor and shall upon conviction, be subject to a fine of not more than \$500.00 per violation.

5. This Ordinance shall become effective from the date of its publication in accordance with Section 52.011 of the Local Government Code.

6. This Ordinance rescinds all other Ordinances previously enacted by the City Council of the City of Riesel, Texas, to the extent in conflict with the terms of this Ordinance.

PASSED AND APPROVED this the 7th day of October, 2008.

CITY OF RIESEL, TEXAS

David Guenat, Jr., Mayor

ATTEST:

Robin Miguez, City Secretary

