

**ORDINANCE NO. 1130**

**AN ORDINANCE AMENDING ORDINANCE 992 AND CODE CHAPTER 16.04.030 (1) OF THE FAIRFIELD MUNICIPAL CODE FIRES OR BURNING -- PROHIBITED TO PROVIDE FOR SPECIFIC TIMES FOR PERMITTED BURNING**

**BE IT ORDAINED BY THE CITY COUNCIL OF FAIRFIELD, IOWA, THAT:**

**SECTION 1. REPEALER.** Ordinance 992 and its codification at Chapter 16.04.030 (1), which states:

“(1) That leaves, small limbs and twigs only may be burned during the months of April, October and November of each year during the daylight hours, after sunrise and before sunset, on Tuesday, Wednesday, Thursday and Saturday provided, however, that any such fire or burning shall be supervised by a person in attendance thereto, and that no fire or burning shall be in any street or alley. Such burning shall only be done on the property of the person performing and attending the burning of any such leaves, small twigs and limbs, and under such conditions that are not endangering adjacent buildings or property;”

**IS HEREBY REPEALED.**

**SECTION 2. AMENDMENT.** Fairfield Municipal Code Chapter 16.04.030 (1) is thereafter **AMENDED BY SUBSTITUTING** the following:

“(1) That leaves, small limbs and twigs only may be burned during the months of April, October and November of each year during the daylight hours, after sunrise and before sunset, on Tuesday, Thursday and Saturday provided, however, that any such fire or burning shall be supervised by a person in attendance thereto, and that no fire or burning shall be in any street or alley. Such burning shall only be done on the property of the person performing and attending the burning of any such leaves, small twigs and limbs, and under such conditions that are not endangering adjacent buildings or property;”

**SECTION 3. SEVERABILITY.** 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, provisions, or part thereof not adjudged invalid or unconstitutional.

**SECTION 4. EFFECTIVE DATE.** This Ordinance shall be in effect immediately after its final passage, approval and publication as provided by law.

**Passed** by the Council of the City of Fairfield, Iowa on the 13<sup>th</sup> day of July, 2015.

The foregoing Ordinance No. 1130 was adopted by the City Council of City of Fairfield, Iowa at its regular meeting held on the 13th day of July 2015, upon a motion by Councilperson Hammes and seconded by Councilperson Ledger-Kalen. The vote on the foregoing ordinance was as follows:

	AYES	NAYS	ABSTAIN	ABSENT
Rasmussen	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Revolinski	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Hammes	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Halley	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Hamilton	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Ledger-Kalen	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Flournoy	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>

  
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Ed Malloy, Mayor City of Fairfield

ATTEST:

  
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Michael L. Harmon, City Administrator