

ORDINANCE NO. 1-14
OF
THE CITY OF AUBURN, NEMAHA COUNTY, NEBRASKA

AN ORDINANCE TO AMEND THE ORIGINAL SECTION 97.19 OF THE CITY OF AUBURN, NEBRASKA, CODE OF ORDINANCES TO CREATE AN EXCEPTION FOR RECREATIONAL FIRE/FIRE PITS FROM OPEN FIRES REGULATED BY CITY CODE; TO REPEAL THE ORIGINAL SECTION 97.19 OF SAID CITY CODE AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND TO DECLARE AN EFFECTIVE DATE FOR THIS ORDINANCE.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF AUBURN, NEMAHA COUNTY, NEBRASKA:

SECTION 1. Section 97.19, FIRES REGULATED, of the City of Auburn, Nebraska, Code of Ordinances is amended to read as follows:

"§ 97.19 FIRES REGULATED; RECREATIONAL FIRE/FIRE PIT EXCEPTION.

(1) It shall be lawful to build or set out certain fires; provided that, the person building the fires shall have the substance to be burned in a fireproof trash burner or incinerator with a metal fireproof screen of not more than one-inch mesh, and located at least 20 feet from any building. The incinerator shall be built in a way as to not permit the escape of burning paper or other substances. If any person shall require a fire in the course of his or her trade as a blacksmith or mechanic, the fire shall be and maintained in the matter prescribed by the Fire Chief. All fires shall be built, after 7:00 a.m. and completely extinguished by 4:00 p.m., except the aforesaid fires used in the course of a trade which shall be allowed during the hours as the Fire Chief shall prescribe. It shall be unlawful for any person to set fire to, burn or cause to be burned any garbage, animal matter or vegetable matter. The burning of straw, hay, leaves or brush in the open air is hereby permitted and allowed; provided that, the person setting out the same request permission and receive an open burning permit in writing signed by the local Fire Chief, on a form provided by the State Fire Marshal; and, provided further, that any burning shall be done while the fire is attended by an adult at least 19 years of age attending the same at all times, and further provided that the fire shall be located at least 20 feet from any building.

(2) An exception to section (1) above is hereby made for recreational fire fully and safely contained within a fire pit or chiminea, with proper supervision and safeguards in place so as to prevent misuse or threat to others health, safety or property;

(a) In conjunction with sub-section (2), only firewood or products sold specifically for recreational fire burning purposes can be burned, in a safe manner (natural gas and propane fire pits permitted); no paper, leaves, brush, grass, rubbish, trash or waste products;

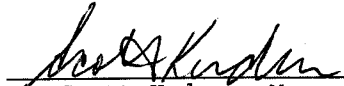
(3) All recreational fires are done at the party's own risk and expense. Recreational fire is inherently dangerous and this exception in no-way eliminates the obvious danger and unpredictability of fire use."

SECTION 2. That original City Code Section 97.19 of the City of Auburn, Nemaha County, Nebraska, and any other Ordinances or parts thereof passed and approved prior to the passage, approval and publication or posting of this Ordinance that are in conflict herewith, are hereby repealed.

SECTION 3. That this Ordinance shall be in full force and effect from and after passage, approval and publication according to law.


Passed and Approved this 10th day of February, 2014.





J. Scott Kudrna, Mayor of
the City of Auburn, Nebraska

ATTEST:



Sherry Heskett, Municipal Clerk
of the City of Auburn, Nebraska