

ORDINANCE REGULATING OPEN BURNING
IN THE CITY OF SALTILLO, MISSISSIPPI

WHEREAS, the Mayor and Board of Aldermen of the City of Saltillo, Mississippi find that in the interests of the health, safety and welfare of the citizens of the City of Saltillo, Mississippi, and for the care, protection and maintenance of property within the City of Saltillo, Mississippi, open burning should be regulated in the City of Saltillo, Mississippi pursuant to the authority to regulate same in Miss. Code Ann. § 21-19-1 (1972), as amended, and Miss. Code Ann. § 21-19-21 (1972), as amended.

**BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF SALTILLO, MISSISSIPPI, AS FOLLOWS:**

Section 1. Open Burning

No person may burn or cause to be burned any material outside of a building while a burn ban is in effect for the County of Lee, State of Mississippi and in accordance with Section 49-19-351 of the Mississippi Code, 1972.

The following exceptions shall apply:

- (A) An employee of the City of Saltillo, Mississippi in the lawful course and scope of his/her duties as an employee of the City of Saltillo, Mississippi may burn or cause to be burned materials outside of a building; and

- (B) Small wood, charcoal or artificial log fires situated or kindled in a commercial or commercial grade cooking device, campfire pit or outdoor fireplace when used for the preparation of food or other outdoor entertainment.

Section 2. Penalties

Minimum fine of One-Hundred Dollars (\$100.00)/
Maximum fine of Five Hundred Dollars (\$500.00)

Section 3. Severability, Conflict, Effective Date, and Publication & Recording

(A) Severability. Should any section, clause, paragraph, provision, or part of this ordinance for any reason be held invalid or unconstitutional by any court of competent jurisdiction, this act shall not affect the validity of any other section, clause, paragraph, provision, or part of this ordinance. All provisions of this ordinance shall be considered separate provisions, and completely severable from all other portions.

(B) Conflict. In any case where a provision of this ordinance is found to be in conflict with a provision of any other ordinance or code of the City of Saltillo, Mississippi, existing on the effective date of the ordinance, the provisions of this ordinance shall take precedence.

(C) Effective Date. This Ordinance shall become effective upon passage for the immediate and temporary preservation of the public peace, health and safety if adopted by unanimous vote of all members of the Board of Aldermen, or in thirty days otherwise, but shall in

any event be published as provided by law.

(D) Publication & Recording. The City Clerk is instructed to publish this ordinance one time in the Northeast Mississippi Daily Journal and to obtain proof of publication thereof and record this ordinance in the ordinance book.

Section 4. Adoption and Certification

UPON MOTION of Alderman Brad Woodcock, duly seconded by Alderman Jewell Webb, the aforesaid ordinance was put to a vote with Aldermen voting as follows:

ALDERMEN VOTING "YEA":

Alderman Mitchell Brazeal
Alderman Scott Knight
Alderman Brad Woodcock
Alderman Jewell Webb
Alderman Terry Glidewell

ALDERMEN VOTING "NAY":

ALDERMEN ABSENT OR NOT
VOTING:

ORDAINED AND ADOPTED this the 3rd day of July, 2012, at the Regular Meeting of the Mayor and Board of Aldermen of the City of Saultillo, Mississippi.

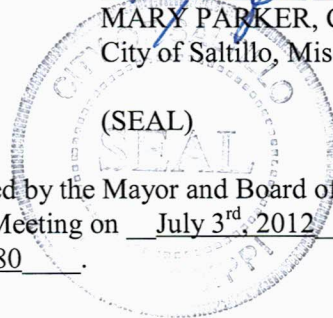


BILL WILLIAMS, Mayor
City of Saultillo, Mississippi



MARY PARKER, City Clerk
City of Saultillo, Mississippi

(SEAL)



NOTE: This ordinance was approved and adopted by the Mayor and Board of Alderman at their Regular Meeting on July 3rd, 2012 and appears in Minute Book 4 at pages 180.