

Introduced by: Councilwoman Sandy Sturgis
Introduced on: February 16, 2010

**ORDINANCE NO. 11- 01
BURNING IN TOWN LIMITS**

**AN ACT TO AMEND THE CODE OF ORDINANCES OF THE TOWN OF TOWNSEND CONCERNING
BURNING**

BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF TOWNSEND (a majority of the members elected thereto concurring therein):

Section 1. Amend Chapter 26 of the Code of Ordinances, Town of Townsend, Delaware by striking Sec 26-19 in its entirety and by substituting in lieu thereof the following:

“Sec. 26-19. Combustible material and other debris

(a) It shall be unlawful for any person, corporation, or other association to burn any combustible material, including but not limited to leaves, wood, or other debris, within the corporate limits of the Town of Townsend in an open or unscreened container/unit, except and unless such burning is supervised by the Townsend Fire Company and only after the prior approval of the Townsend Town Council. The use of open flame pits, detached, freestanding fireplaces, or chimeneas is prohibited.

(b) Lawful burning units will enclose the burning material completely. Every unit shall have a spark screen/guard in place when in use. Any unit in use must be specifically for the purpose of burning wood.

(c) The only material permitted to be burned in a screened in pit, fireplace or chimnea is fire wood and/or tree branches. All other materials are illegal.

Section 2. Amend Chapter 26 of the Code of Ordinances, Town of Townsend, Delaware, by striking the phrase “less than \$10.00 nor more than \$50.00” as it appears in Sec. 26-21 thereof and by substituting in lieu thereof the following:
“less than \$25.00 nor more than \$100.00.”

Section 3. If any provision of this Act or its application to any person or circumstance is held invalid, the remainder of this Act, or the application of the provision to other persons or circumstances shall remain unaffected.

Section 4. This Act shall become effective immediately upon its adoption.

SYNOPSIS

This Act supersedes the existing burning ordinance to permit the use of enclosed containers to burn wood and by raising the penalty to a range of \$25.00 to \$100.00.

First & Second Reading: March 2, 2011
Public Hearing: March 2, 2011
Third & Final Reading: April 6, 2011

Signed by: _____
Mayor of Townsend

