

ORDINANCE NO. 709

AN ORDINANCE PROHIBITING WITH
CERTAIN LIMITED EXCEPTIONS
THE BURNING OF GARBAGE, REFUSE,
LEAVES, WASTE OR OTHER LIKE MATERIALS
WITHIN THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA.

WHEREAS, The Town of St. John, Lake County, Indiana, has received information that persons and/or entities are burning garbage, refuse, waste, and/or other like materials within the town limits of The Town of St. John, Lake County, Indiana; and

WHEREAS, The Board of Trustees of The Town of St. John, Lake County, Indiana, upon the recommendation of The Director of Public Works within the town and the Chief of the Volunteer Fire Department serving the town has determined that the burning of such garbage, refuse, waste or other like materials should be regulated by the town to protect the general safety, health, and welfare of the members of the community; and

WHEREAS, The Board of Trustees of The Town of St. John, Lake County, Indiana, feels that it is in the best interest of the town that it enact an ordinance prohibiting, with certain limited exceptions, the burning of any type of garbage, refuse, waste, or other like materials.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Trustees of the Town of St. John, Lake County, Indiana, that it shall be unlawful for any person or entity to burn, kindle, or incinerate any type of garbage, refuse, waste, or other like materials.

BE IT FURTHER ORDAINED, that notwithstanding the foregoing, it shall be lawful to burn, kindle, or incinerate paper waste materials upon the land or real estate of a privately or publicly owned or operated business or commercial building when burning paper waste materials accumulated solely from the operation of the commercial activity on the land where the burning is performed, so long as the burning is restricted to and within an incinerator having a multicomustion chamber and afterburner and otherwise constructed and operated in accordance with the standards and requirements of Federal and State authorities, or of the American National Standards Institute, whichever standards are more strict. Nothing in the aforesaid shall be construed to allow or permit the burning of any garbage, refuse, waste, or other like materials in a container except as aforesaid including but not limiting to dumpsters, and garbage "can" type burners.

BE IT FURTHER ORDAINED, that the Chief of the Fire Department serving the Town of St. John, or the Director of Public Works may prohibit any and all burning, as allowed aforesaid, when atmospheric conditions or local circumstances may make burning hazardous to health and safety; and any person or entity burning waste materials as aforesaid in an incinerator shall revise, reconstruct or replace such incinerator to meet the requirements and standards set forth above.

BE IT FURTHER ORDAINED, that any person or entity violating this ordinance shall, upon a finding of liable therefore, pay a fine of not less than \$25.00 nor more than \$100.00 and the costs of prosecution for each violation. Each day a violation exists or continues shall constitute a separate offense.

BE IT FURTHER ORDAINED, that an emergency exists for the immediate taking effect of this ordinance, and therefore, this ordinance is hereby passed and adopted by the Board of Trustees, of the Town of St. John, Lake County, Indiana, and shall become effective immediately this 10th day of August, 1987.

David M. Bial
Joseph Peterson

BOARD OF TRUSTEES, TOWN OF ST.
JOHN, LAKE COUNTY, INDIANA

ATTEST:

Betty G. Siedelmann
Clerk Treasurer