

## ORDINANCE NO. 213

AN ORDINANCE REPEALING ORDINANCE NO. 203 AND ENACTING AN  
ORDINANCE REGULATING OPEN BURNING OF DOMICILE WASTE, GARBAGE  
AND REFUSE IN THE VILLAGE OF URSA, ADAMS COUNTY, ILLINOIS

BE IT ORDAINED by the President and Board of Trustees of the Village of Ursa, County of Adams, and State of Illinois, as follows:

WHEREAS, the President and Board of Trustees of the Village of Ursa, Adams County, Illinois, deem it appropriate to repeal Ordinance No. 203.

WHEREAS, Section 11-19-5 of the Illinois Municipal Code grants to municipalities the authority to enact methods for disposition of garbage and refuse.

WHEREAS, Section 11-19.1-11 of the Illinois Municipal Code grants to municipalities the authority to enact Ordinances concerning air contamination control.

WHEREAS, the President and Board of Trustees of the Village of Ursa, Adams County, Illinois, deem it in the public's health and safety that the burning of domicile waste, garbage or refuse in the Village be prohibited.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Ursa, County of Adams and State of Illinois as follows:

SECTION ONE: OPEN BURNING

Definitions: As used in this Ordinance unless the context requires otherwise the following words or phrases shall mean:

(a) Domicile Waste: means any refuse generated on single family domiciliary property as a result of domiciliary activity. The term excludes landscape wastes but includes garbage and trade wastes.

(b) Garbage: means refuse resulting from the handling, packaging, processing, preparation, cooking and consumption of food or food consumption products, whether liquid or solid.



(c) Refuse: means any discarded matter, or any matter which can be reduced in volume or otherwise change in chemical or physical properties, in order to facilitate its discard, removal or disposal.

(d) Trash barrel: means any container used for the purpose of burning domicile waste, garbage or refuse.

(e) Open Burning: means the combustion of any matter in such a way that the products of the combustion are emitted to the open air without originating in or passing through equipment for which a permit could be issued under the Environmental Protection Regulations of the State of Illinois.

#### SECTION TWO: PROHIBITIONS

No person shall cause or allow burning of domicile waste, garbage or refuse, except as provided in Section Three in this Ordinance, and no person shall use a trash barrel for purposes of burning domicile waste, garbage or refuse.

#### SECTION THREE: EXEMPTIONS

The following activities are not in violation of the open burning ordinance.

(A) The open burning of dried leaves and brush, but only:

- (1) On the premises upon such wastes generated;
- (2) When atmospheric conditions will readily dissipate contaminants;
- (3) If such burning does not create a visible hazard on roadways;
- (4) The fire must be attended at all times;
- (5) From sunrise to sunset;

SECTION FOUR: Notwithstanding the exemptions as stated in Section III, no person shall cause or allow burning of any kind including the exceptions as set out in Section Three, at any time under any circumstances on any public property including streets, roadways and sidewalks.

SECTION FIVE: Nothing in this Ordinance shall prohibit any person from recreational burning by use of wood or charcoal for wiener roasts or barbeques.



SECTION SIX: It is hereby declared unlawful for any person, firm or corporation to burn in any manner which violates this Ordinance.

SECTION SEVEN: Any person, firm or corporation who or which violates the provisions of this Ordinance shall be fined not less than \$50.00 nor more than \$750.00 for each offense. A separate offense shall be deemed committed on each calendar day, a violation occurs. In addition to seeking a fine, the Village Attorney may institute any proper action and the name of the Village to enjoin violation of any provisions of this act.

SECTION EIGHT: Ordinance No. 203 is hereby repealed.

SECTION NINE: That all Ordinances or parts of Ordinances in conflict with or inconsistent with the provisions of this Ordinance are hereby repealed to the extent of any such conflict or inconsistency.

SECTION TEN: That if any part or portion of this Ordinance shall be declared invalid by a Court of competent jurisdiction, such partial invalidity shall not effect the remainder of this Ordinance.

SECTION ELEVEN: This Ordinance shall be in full force and effect from its passage, approval and publication as provided by law.

ADOPTED: July 26, 2007  
APPROVED: July 26, 2007  
PUBLISHED: August 16, 2007

PRESIDENT - VILLAGE OF URSA,

Carl Bartlett  
Carl Bartlett

ATTEST:

Steven Harms  
Village Clerk, Steven Harms

(Corporate Seal)



CERTIFICATE OF POSTING

I, the undersigned, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Ursa, Adams County, Illinois, and as such official, I am the keeper of all records and files of the President and Board of Trustees of said Village. I do further certify that Ordinance No. 213, being entitled "AN ORDINANCE REPEALING ORDINANCE NO. 203 AND ENACTING AN ORDINANCE REGULATING OPEN BURNING OF DOMICILE WASTE, GARBAGE AND REFUSE IN THE VILLAGE OF URSA, ADAMS COUNTY, ILLINOIS" is attached hereto. I do further certify that said Ordinance was duly adopted and passed by the President and Board of Trustees on July 26, 2007 at a regular meeting of the Village President and Village Board of Trustees.

I do further certify that a true, correct and complete copy of said Ordinance was posted on the 6<sup>th</sup> day of <sup>August</sup>~~July~~, 2007 in at least three of the most prominent places within the Village, namely:

1. North Adams State Bank of Ursa  
Warsaw Street  
Ursa, Illinois
2. Village Office  
Village of Ursa  
107 South Warsaw Street  
Ursa, Illinois
3. Hoop-N-Wink Restaurant  
Warsaw Street  
Ursa, Illinois

Notice is further given that this Ordinance, pursuant to Illinois Revised Statute, Chapter 24, Section 1-2-4, has been duly posted in accordance therewith.

In witness hereof, I have hereunto affixed my official signature and corporate seal of the Village this 26<sup>th</sup> day of July, 2007.



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Village Clerk

(SEAL)



PUBLIC NOTICE

Notice is hereby given that Ordinance No. 213, being entitled "AN ORDINANCE REPEALING ORDINANCE NO. 203 AND ENACTING AN ORDINANCE REGULATING OPEN BURNING OF DOMICILE WASTE, GARBAGE AND REFUSE IN THE VILLAGE OF URSA, ADAMS COUNTY, ILLINOIS" a true copy of which is attached hereto was duly adopted and passed by the President and Board of Trustees of the Village of Ursa at the regular meeting on July 26, 2007 at 7:30 p.m.

Notice is further given that this Ordinance is being published pursuant to Illinois Revised Statutes, Chapter 24, Section 1-2-4, has been duly posted in three prominent places in the municipality on this 6<sup>th</sup> day of <sup>August</sup>~~July~~, 2007.

Steven Harms  
Village Clerk  
Village of Ursa  
Adams County, Illinois