

This supersedes Ordinance No. 03-001

No person shall in the Town of Loma Linda, Missouri openly burn leaves, brush, grass, logs and tree stumps or other combustible materials outdoors or maintain a bonfire or a rubbish fire or authorize any such fire to be maintained without first obtaining permission from the Fire Chief or his representatives of the Redings Mill Fire Protection District which is the fire department for the Town of Loma Linda, Missouri.

The Fire Chief or his representative of Redings Mill Fire Protection District shall have the sole discretion whether or not to issue permission to burn openly outdoors. The Fire Chief or his representative of Redings Mill Fire Protection District shall consider all relevant factors including wind, dryness, air humidity, nearby buildings and number of people to be present at the scene of the fire and such other factors as shall be reasonable and necessary in determining if a safe condition exists for burning. The Redings Mill Fire Protection District may charge a fee as they determine for the issuing of such permission which shall be paid by the person requesting the permission at the time the permission is issued. The permission may set forth the person authorized to perform the burn, the hours, days and month and year that the permission is valid for, the combustible material that is to be burned, the number of persons to be available at the fire scene to control the fire, what equipment the persons shall have in performing the burn, and what requirements of notification to neighbors adjacent to the fire will be necessary and such other conditions as the Fire Chief or his representatives may deem appropriate under the circumstances.

During construction or demolition of buildings or structures in the Town of Loma Linda, Missouri, no waste material or rubbish shall be disposed of by burning on the premises or within the immediate vicinity or within the Town of Loma Linda, Missouri. All construction waste material shall be placed in a commercial dumpster and disposed properly in a solid waste dump or landfill at the expense of the contractor and if the contractor shall fail or be unable to do so then at the expense of the homeowner whose premises generated the waste material. The fact that the homeowner or contractor has dumped the waste material on the other person's property or the public right of way shall not be a defense to the requirements of this paragraph to cleanup and to remove the waste material to a solid waste dump or landfill by the owner of record in the Newton County, Missouri Recorder of Deeds Office of the property the construction was being performed that generates the waste and regardless of whether or not the owner did the actual dumping. The City Clerk may instruct the homeowner and contractor of this requirement at the time the building permit is issued but this shall not be a defense that the owner or contractor was unaware of these requirements.

Violation of this ordinance and its provisions shall be a misdemeanor and shall be punishable up to thirty (30) days in jail and up to a Five Hundred Dollars and No Cents (\$500.00) fine or any combination thereof. Each day the violation continues to exist shall be a new and additional charge of a violation of this ordinance requiring the imposition of up to thirty (30) days in jail and a fine of up to Five Hundred Dollars and No Cents (\$500.00) per person or any combination thereof. If more than One (1) person shall be the property owner or shall be the owner of a construction company, then all of said persons who appear to be the owners of the real estate as shown by the records in the Newton County Recorder of Deeds Office at Neosho or in the case of a construction company, then all of the owners, or if such owners shall be a corporation, then all of the officers and directors of said corporation as shown by the last filed Registration Report with the Missouri Secretary of State's Office in Jefferson City, Missouri, shall be liable to the above up to thirty (30) days imprisonment and up to Five Hundred Dollars and No Cents (\$500.00) fine or any combination thereof.