

ORDINANCE NO. 321

AN ORDINANCE OF THE CITY OF PORT ST. JOE, AMENDING SECTION 54-29 CODE OF ORDINANCES TO PROHIBIT BURNING OF HOUSEHOLD GARBAGE OR RUBBISH WITHIN THE CITY, ESTABLISHING CRITERIA FOR OBTAINING BURNING PERMITS FOR RUBBISH, REPEALING ALL ORDINANCES IN CONFLICT AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City has a system for the collection of household garbage so there is no need for the burning of household garbage; and

WHEREAS, the definition of "Rubbish" in Section 54-1, Code of Ordinance includes debris from land clearing activity; and

WHEREAS, Section 54-29, Code of Ordinance, prohibits the burning of rubbish in the City without a permit; and

WHEREAS, the City will incur costs to inspect and insure the safety of the City inhabitants from fire as a result of the burning of rubbish.

Now, therefore, **BE IT ENACTED BY THE PEOPLE OF THE CITY OF PORT ST. JOE, FLORIDA:**

An Ordinance amending Section 54-29 Code of Ordinance as follows:

**"SECTION 54-29, CODE OF ORDINANCES" CURRENTLY READS AS
FOLLOWS:**

No household garbage or rubbish shall be burned upon any premises in the city unless issued a burning permit by the fire department.

**"SECTION 54-29, CODE OF ORDINANCES" IS AMENDED TO READ AS
FOLLOWS:**

(a.) No household garbage shall be burned within the City;

(b.) No rubbish shall be burned within the City unless a burning permit is obtained from the City. No burning permit will be issued except upon certification

by the fire inspector or fire chief that the burning can be safely done without endangering other property or city inhabitants and payment of the permit fee, as appropriate.

Land size:

Single lot up to ½ acre	\$ 150.00
½ acre to 1 acre	200.00
1 acre up to 5 acres	600.00
5 acres up to 10 acres	1,200.00
10 acres or greater	1,500.00 + \$75.00/acre over 11 acres

(c.) A lot that has an existing permanent residential structure and is occupied by an individual or individuals, shall be allowed to burn rubbish, as defined in Sec. 54-1, upon application to the City for a permit to burn rubbish, issuance of the permit and the payment of a \$25.00 fee.

2. **REPEAL:** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

3. **EFFECTIVE DATE:** This Ordinance shall become effective upon adoption as provided by law.

THIS ORDINANCE ADOPTED this 6th day of December, 2005.

BOARD OF CITY COMMISSIONERS
PORT ST. JOE, FLORIDA

Frank Tate
Mayor-Commissioner

ATTEST:

Pauline L. Lavin
City Clerk