

**ORDINANCE #5, 2013**

**AN ORDINANCE AMENDING CHAPTER 6,  
DIVISION II, SECTION 6-110 ENTITLED  
BURNING RESTRICTIONS**

WHEREAS, The Municipal Code for the City of Attica sets forth regulations regarding burning restrictions, and

WHEREAS, the Common Council for the City of Attica desires to amend the Municipal Code to clarify the restrictions,

NOW, THEREFORE, BE IT ORDAINED by the Common Council for the City of Attica, as follows:

Section 1. Chapter 6, Division II Section 6-110 (a) through (g) is hereby amended to read as follows:

- a. Open burning within the City of Attica is prohibited except as allowed herein.
- b. Open burning is hereby defined as set forth in 326 Indiana Administrative Code § 4-1-0.5(6) as the burning of any materials wherein air contaminants resulting from combustion are emitted into the air, without passing through a stack or chimney form an enclosed chamber;
- c. The following types of fires, subject to the conditions set forth below, are allowed:
  - i. Private residential burning with restrictions;
  - ii. Recreational or ceremonial fires with prior City Council approval and under Attica Fire Department Supervision;
  - iii. Burning for the purpose of heating, clean wood products in an approved indoor or outdoor wood stove or furnace for the purpose of home heating;
  - iv. Prescribed burning by the Indiana Department of Natural Resources or the U.S. Forest Service with prior City Council approval and under Attica Fire Department supervision.
- d. Open burning at a private residence should not be construed to mean the on-site open burning of construction debris associated with the construction of a private residence. Private residential (buildings with four (4) or fewer dwelling units; but not apartment or condominium complexes or mobile home parks): burning is permitted, but only in accordance with the following rules: