

**AN ORDINANCE
DESIGNATING A FIRE MARSHAL; REGULATING BURNING WITHIN THE
CITY LIMITS; AND PROVIDING FOR PUBLICATION**

WHEREAS, an unusually large number of open fires set by citizens within the City of Ingleside on the Bay has been observed;

WHEREAS, uncontrolled, unsupervised or unregulated burning of combustible material or open fires within the City of Ingleside on the Bay is injurious to the public health, safety and welfare; and

WHEREAS, the Ingleside on the Bay Volunteer Fire Department does an excellent job of fire prevention and fire control but requires the regulation of burning of combustible material or open fires to assist in fire prevention and fire control; and

WHEREAS, it is in the interests of the public health, safety and welfare for the City of Ingleside on the Bay to establish reasonable rules, regulations and minimum standards for burning of combustible material and open fires within the City limits .

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF INGLESIDE ON THE BAY:

Section 1. The Fire Chief of the City of Ingleside on the Bay Volunteer Fire Department is hereby designated as Fire Marshal of the City of Ingleside on the Bay. The Fire Marshal shall have all the authority and duties of Fire Marshal. In discharging his duties the Fire Marshal or the Mayor may request any assistance needed in the discharge of those duties from the County Fire Marshal and/or the State Fire Marshal.

Section 2. Burning, kindling, maintaining or starting any fire of any combustible material whatsoever including, but not limited to, trash, rubbish, brush, trees, wood, leaves, building material, construction material, plastic, manufactured homes or structures, houses, upholstery, fabric, or any other material capable of burning or producing fire, is prohibited under the terms and conditions set forth in this Ordinance. However, this Ordinance does not apply and shall not be construed to apply to prohibit any wood fire in fireplaces, stoves, heaters or furnaces safely designed, constructed and installed. This Ordinance does not prohibit outdoor wood fires for recreation, cooking or for ceremonial purposes provided they are properly contained (example: fire ring) and they are not a hazard or nuisance to neighbors. The City Fire Marshall shall investigate complaints and determine if fire should be extinguished. This Ordinance does not prohibit burning any material in an incinerator complying with all applicable laws and ordinances, including clean air provisions.

Section 3. This Ordinance follows all laws and regulations of revised Outdoor Burning Rule (Title 30 Texas Administrative Code Sections 111.201-111.221) which is enforced by the Texas Commission on Environmental Quality (TCEQ).

Section 4. This Ordinance shall be published by publishing the caption hereof in the official newspaper of the City of Ingleside on the Bay and shall become effective upon such publication.

PASSED this the 16TH day of December, 2003.

INGLESIDE ON THE BAY

By: Alfred Robbins
Alfred Robbins
Mayor

ATTEST:

Diane Hosea
Diane Hosea
City Secretary

CITY OF INGLESIDE ON THE BAY
AN ORDINANCE
DESIGNATING A
FIRE MARSHAL;
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AND PROVIDING
FOR PUBLICATION.
Published in The
Ingleside Index,
December 18, 2003

THE STATE OF TEXAS
COUNTY OF SAN PATRICIO:

Before me, the undersigned authority, personally appeared

PATSY DICKEN of The Ingleside Index, who after being

by me duly sworn, on his oath deposes and said:

1. That ~~he~~ (she) is ADV. DIRECTOR of The Ingleside Index a weekly newspaper published in San Patricio County, Texas.

2. That the CITY OF INGLESIDE ON THE BAY ORDINANCE REGULATING BURNING

hereto annexed, was published in the regular issues of said Ingleside Index once

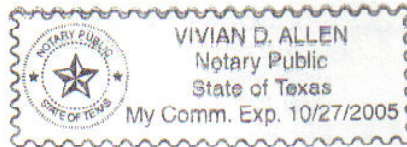
each week for ONE (1) successive weeks said publications

having been made on the DECEMBER 18, 2003

3. That a printed copy of said NOTICE

as the same appeared in said issues is attached hereto.

Patsy Dicken



Sworn to and subscribed before me this 31st

day of DECEMBER ~~XXX~~ 2003

Vivian D. Allen

Notary Public, San Patricio County, Texas

PUBLICATION FEE: \$ 20.00