

JASPER COUNTY

ORDINANCE NO. 73

**AN ORDINANCE TO REGULATE THE REQUIREMENT OF PROVIDING NOTICE
FOR TYPES OF CONTROLLED BURNS WITHIN JASPER COUNTY
BE IT ORDAINED BY THE BOARD OF SUPERVISORS JASPER COUNTY, IOWA:**

SECTION 1 – PURPOSE

The purpose of this ordinance is to establish pre-burn notice requirements for certain types of controlled burns within Jasper County. Notification is required as a courtesy to avoid the local fire departments and emergency personnel from being called out mistakenly at the report of a controlled burn. In addition, notification is required as to assist local fire departments and emergency personnel in responding to controlled burns in the case of emergency.

SECTION 2 – DEFINITIONS

“Structures fires” are any fires which are for the burning or destruction of agricultural structures.

“Structures” means barns, machine sheds, storage cribs, animal confinement buildings, and homes located on the premises and used in conjunction with crop production, livestock or poultry raising and feeding operations.

“Controlled or prescribed burn” is any fire set intentionally for purposes of forest management, farming, field clearing, prairie maintenance or land clearing operations.

“Recreational fires” are any fires for cooking, heating, recreation, and ceremonies.

“Required Burn Information” is the information required to be provided to Jasper County Dispatch through the nonemergency phone prior to a purposeful burn.

SECTION 3 – NOTIFICATION PRIOR TO BURN AND UPON COMPLETION

Prior to any structure fires, controlled burns or prescribed burns the individual(s) overseeing the burn shall provide notice to a Jasper County Dispatch Operator by calling the non-emergency phone number for Jasper County Dispatch and providing all required burn information.

In addition, upon completion of the burn, the person shall notify dispatch.

SECTION 4 – REQUIRED BURN INFORMATION

Prior to any structure burn, controlled or prescribed burn within Jasper County the individual(s) overseeing the burn shall provide the following information at least one (1) hour prior to the start of the burn.

1. The location of the burn.
2. Estimated acreage of burn.

3. The method of the burn.
4. The type of burn.
5. Name and contact information for the individual(s) overseeing the burn.

Verbal confirmation from a Jasper County Dispatcher is required prior to any burn beginning.

SECTION 5 – COMPLIANCE WITH OTHER REQUIREMENTS OR LAWS

This Ordinance only applies to notification requirements prior to specific types of burns or fires. Compliance with any other local, State or Federal laws are required for all burns or fires. Further, this Ordinance shall not authorize any type of burn or fire that is not authorized by another local, State or Federal law.

Completion of notification shall not act as an exemption to any active State or County burning ban.

SECTION 6 – EXEMPTIONS

1. Fireplaces or grills. This Ordinance shall not apply to outdoor fireplaces or grills.
2. Outdoor patio heaters. This Ordinance shall not apply to outdoor patio heaters burning only natural gas, propane, or alcohol.
3. Recreational bonfires, fireplaces and grills. This Ordinance shall not apply to open fires burning charcoal or untreated seasoned wood for cooking, recreation and ceremonies.
4. Brush Pile Burn. This Ordinance shall not apply to any brush, tree trimming or yard waste burns.

SECTION 7 – PENALTY FOR NONCOMPLIANCE

A violation of this Ordinance shall be enforceable as a County Infraction. A Jasper County Sheriff Deputy or any Fire Chief of a Fire Department within Jasper County shall have the authority to cite an individual(s) for a violation of this ordinance. The penalties for a violation of this Ordinance shall include:

- For a 1st Offense: A civil penalty of up to \$250, court costs, plus reasonable FEMA Costs for responding fire department(s).
- For a 2nd Offense: A civil penalty of up to \$500 plus court costs, court costs, plus reasonable FEMA Costs for responding fire department(s).
- For a 3rd Offense: A civil penalty of up to \$1,000 plus court costs, plus reasonable FEMA Costs for responding fire department(s).

None of the penalties under this Ordinance shall limit other actions – either criminal or civil – related to a burn or fire if so applicable.

SECTION 8 – SEVERABILITY CLAUSE

If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 9 – EFFECTIVE DATE

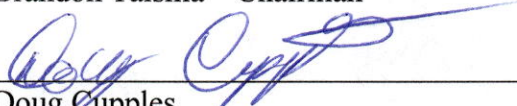
This ordinance shall be in effect immediately after its final passage and publication as provided by law.

Passed and approved this 28th day of March 2023.

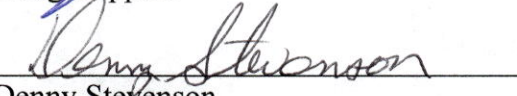
Jasper County Board of Supervisors



Brandon Talsma – Chairman



Doug Cupples



Denny Stevenson

ATTEST:



Jenna Jennings – County Auditor

First Reading: _____

Second Reading: N/A

Approved: on March 28, 2023

Published: Notice on March 17, 2023
of Public Hearing