

Ordinance 90-3

An Ordinance prohibiting leaf burning and miscellaneous building material burning on any country road driving surface excluding gravel roads in Kosciusko County, Indiana; and

WHEREAS, THE BOARD OF COMMISSIONERS of the county of Kosciusko has the power to regulate the use of public ways and rights of way; and

WHEREAS, THE COUNTY HIGHWAY Engineering Department has determined the burning of leaves and building materials on asphalt pavement causes severe damage to the pavement surface and is also a safety hazard to vehicular traffic that may accidentally travel of the open fire; and

WHEREAS, ANY PERSON, FIRM OR CORPORATION who violates and provision of this ordinance shall be deemed to have committed an Ordinance violation and, upon conviction, shall be fined not more than \$300.00 (three hundred dollars); and

WHEREAS, In Addition to any fine, be required to pay unto Kosciusko County Highway Commissioners any costs, expense, loss or damage suffered by the County due to the violation, including its reasonable attorney fees in the enforcement of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners fo Kosciusko as follows:

1. Prohibit open fires within (5) five feet of road pavement edge.
2. Violators upon conviction are subject to a maximum fin of \$300.00 for each day a violation exists.
3. Violators upon conviction shall be required to pay Kosciusko County for all costs involved to make pavement repairs including reasonable attorney fees.

THIS ORDINANCE shall be in full force and effect on February 13, 1990

BOARD OF COMMISSIONERS
KOSCIUSKO COUNTY

Charles Lynch

Ed Creighton

Maurice Beer

Attest: _____

Pat Brown
Kosciusko Auditor