

ORDINANCE 2018-13

AN ORDINANCE OF THE TOWN OF LUTHER, OKLAHOMA AMENDING SECTION 8-116 OF THE TOWN CODE OF THE TOWN OF LUTHER, OKLAHOMA AMENDING THE SECTION TEXT BODY TO PROVIDE FOR PROHIBITION OF PERMIT DURING BURN BAN, AND LEAVING FIRE UNATTENDED; DECLARING REPEALER; PROVIDING FOR SEVERABILITY; AND EMERGENCY.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF LUTHER OKLAHOMA:

Section 1. That Section 8-116 of the Code of Ordinances for the Town of Luther Oklahoma shall be amended to add Subsections F and G as follows:

- F. Upon issuance of a burn permit, the permit holder shall further obtain clearance on the day the permitted burning is to occur prior to ignition to confirm proper weather conditions. No permits shall be issued or held valid when, at the time of burning, a state or county mandated burn ban is in effect. It shall be the permit holder's responsibility to know if a burn ban is in effect. Applicable fines shall be doubled if a person burns during a County or State issued burn ban.
- G. The owner of the land for which a permit for open burning, recreational fires, or bonfires has been obtained, or their designee, shall constantly attend the fire until it is fully extinguished. A minimum of one portable fire extinguisher complying with Section 906 of the International Fire Code with a minimum 4-A rating or other approved on-site fire-extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization. The amount and type of extinguishing agent required will be determined upon site inspection.

Section 2. **REPEALER.**

All former ordinances or parts of Ordinances conflicting or inconsistent with the provisions of the Ordinance are hereby repealed.

Section 3. **SEVERABILITY.**

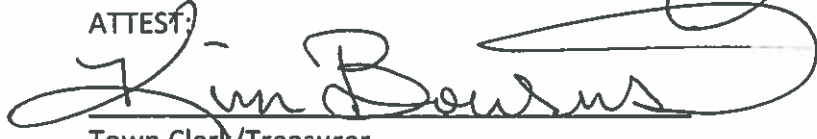
If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, said portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 4. **EMERGENCY.** It being immediately necessary for the preservation of the public health, peace and safety of the Town of Luther and the inhabitants thereof, an emergency is hereby declared to exist by reason whereof, this Ordinance shall be in full force and effect from and after its passage, as provided by law.

PASSED AND APPROVED this 11 day of December, 2018



Mayor

ATTEST:


Town Clerk/Treasurer

APPROVED as to form this 12 day of December, 2018.



Matthew L. Winton^{PLLC}
Town Attorney

