

ORDINANCE 2017-18

AN ORDINANCE OF THE TOWN OF LUTHER, OKLAHOMA AMENDING SECTION 8-116 OF THE TOWN CODE OF THE TOWN OF LUTHER, OKLAHOMA PROVIDING FOR ADDITIONAL REGULATION OF BURNING GRASS, LEAVES, LIMBS OR OTHER REFUSE; DECLARING REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

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

Section 1. That Section 8-116 is hereby amended as follows:

Section 8-116 Burning Weeds, Permit Required, Liability.

A. It is permissible for any person or resident of the Town to burn off high weeds, grass, leaves, limbs or other refuse on property owned or leased or under the control of such persons or residents.

B. No person or resident shall burn off any high weeds grass, leaves, limbs or other refuse in the Town without having first obtained a written permit from an officer of the fire department granting such person or resident permission to do such burning.

C. No officer of the fire department shall issue a permit until he is satisfied that the person or resident has take adequate safety precautions to control the fire and that the weather conditions and wind velocity would not cause an undue hazard and that no adjacent improvements would be unduly endangered.

D. No permit shall be issued except for burning during daylight hours.

E. Any person or resident obtaining a permit to burn grass, leaves, limbs or other refuse does so at his own risk. In the event shall any liability for damages be imposed upon the officer of the fire department issuing hte permit or the Town if damages are sustained as a result of any burning of grass, leaves, limbs or other refuse pursuant to any such permit.

Section 2. **REPEALER.**

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former ordinances or parts of Ordinances conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.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

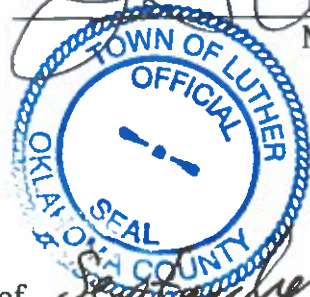
Section 4. **EMERGENCY.**

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 the end of the current clerk-treasurer's term.

PASSED AND APPROVED and the Emergency Clause voted upon separately and passed and approved this 12 day of September, 2017.




Mayor



ATTEST:


Town Clerk/Treasurer

APPROVED as to form this 12 day of September, 2017.



Raymond A. Vincent
Town Attorney