

**TOWN OF MINTURN, COLORADO
ORDINANCE 6 – SERIES 2011**

**AN ORDINANCE OF THE TOWN OF MINTURN AMENDING CHAPTER 7 OF THE
TOWN OF MINTURN MUNICIPAL CODE BY REPEALING AND RE-ENACTING
SECTIONS 7-4-90 AND 7-8-80 AS THEY PERTAIN TO OPEN BURNING WITHIN THE
TOWN OF MINTURN, COLORADO.**

NOW, THEREFORE, THE TOWN OF MINTURN, COLORADO, ORDAINS:

Section 1. Amendment. Minturn Municipal Code, Section 7-4-90 is repealed and re-enacted as follows:

Sec. 7-4-90. Burning; nuisance declared.

No person shall set fire or burn any garbage, rubbish, waste material, yard debris or any other combustible material in the Town of Minturn. Any such act is a nuisance because of smoke and odor. The only exception to this regulation is the burning of a small recreational fire in accordance with the guidelines established in the currently adopted edition of the International Fire Code.

Section 2. Amendment. Minturn Municipal Code, Section 7-8-80 is repealed and re-enacted as follows:

Sec. 7-8-80. Open burning.

Open burning of a small recreational fire is permitted in conjunction with the guidelines established in the currently adopted edition of the International Fire Code for recreational fires.

Section 3. Severability. If any part, section, sub-section, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance; and the Town Council for the Town of Minturn, Colorado hereby declares it would have passed this Ordinance and each part, section, sub-section, sentence, clause or phrase thereof, irrespective of the fact that any one or more parts, sections, sub-sections, sentences, clauses or phrases be declared invalid.

Section 4. The Town Council hereby finds, determines and declares that this Ordinance is necessary and proper for the health, safety and welfare of the Town of Minturn and the inhabitants thereof.

Section 5. The repeal or the repeal and re-enactment of any provision of the Minturn Municipal code as provided in this ordinance shall not affect any right which has accrued, and duty imposed, any violation that occurred prior to the effective date hereof, any prosecution commenced, nor any other action or proceeding as commenced under or by virtue of the

provision repealed and re-enacted. The repeal of any provision hereby shall not revive any provision or any ordinance previously repealed or superseded unless expressly stated herein.

INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL THE 20 DAY OF April, 2011. A public hearing on this ordinance shall be held at the regular meeting of the Town Council of the Town of Minturn, Colorado, on the 4th day of May, 2011, at 7 P.M. in the Minturn Town Center in the Town of Minturn, Colorado.

Hawkeye Flaherty
Mayor

Attest:

[Signature]

Town Clerk



INTRODUCED, READ BY TITLE, PASSED ON SECOND READING, APPROVED AND ORDERED PUBLISHED BY TITLE ONLY THIS 4th DAY OF MAY, 2011.

Hawkeye Flaherty
Mayor

Attest:

[Signature]

Town Clerk

