

Bill No. 140-12
As Amended

ORDINANCE NO. _____

**ORDINANCE OF THE ST. JOSEPH COUNTY COUNCIL
AMENDING THE AIR POLLUTION CONTROL LEAF BURNING CODE**

WHEREAS, St. Joseph County has allowed leaf burning pursuant to St. Joseph County Code Chapter 91, et seq.; and

WHEREAS, the St. Joseph County Council finds that it is in the best interests of the citizens of St. Joseph County to amend the leaf burning ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE ST. JOSEPH COUNTY COUNCIL THAT:

Section 1. Paragraph 91.03 of the St. Joseph County Code shall be amended by deleting the existing Section 91.03 and substituting the following: “Notwithstanding the provisions of this Chapter to the contrary, burning leaves shall be permitted in the County subject to the limitations imposed by Section 92.01 through 92.07 and only so long as such burning is (a) not within 200 feet of any neighboring residence; (b) not within 200 feet of any place of business or commercial establishment; (c) not within 200 feet of any school, elder care center, assisted living facility or any other health care facility of any kind or character; and (d) without limitation as allowed during one (1) week in the Spring and one (1) week in the Fall periods to be determined by the St. Joseph County Commissioners semi-annually.”

Section 2. This ordinance shall become in full force and effect once approved by all appropriate authorities.

Member, St. Joseph County Council