

The Ouachita Parish Fire Department wishes to inform and educate the citizens of Ouachita Parish regarding open-air burning outside the city limits of Monroe and West Monroe.

Contained in the *Compiled Ordinances, Parish of Ouachita, Louisiana* are two ordinances that address open-air burning. One covers the burning of garbage, the other the burning of materials in proximity to a residential structure.

The ordinances are presented separately and verbatim below. Explanation of each ordinance is presented directly after that ordinance. *The explanation will be in bold italics and is not a part of the ordinance.*

## **Chapter 8 – GARBAGE AND TRASH**

### **Article II – Open Air Burning of Garbage**

#### **Sec. 8-16. Short title.**

This article shall be known and may be cited as the “Ouachita Parish Open Air Burning Prohibition Ordinance.” (Ord. No. 8206, 12-17-90)

#### **Sec. 8-17. Definitions**

For the purposes of this article, the following terms, phrases and words shall have meaning as set forth:

*Garbage.* Putrescible animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food; materials made from plastics; tin cans; and paper wrappings which have been used to package food. (Ord. N. 8206, 12-17-90)

#### **Sec. 8-18. Prohibition of open air burning of garbage.**

No person shall ignite, burn or otherwise incinerate any garbage as defined above in Ouachita Parish so that the smoke or ashes resulting from the burning of said garbage will be discharged or otherwise emitted into the air in Ouachita Parish. (Ord. No. 8206, 12-17-90)

#### **Sec. 8-19. Penalties.**

Any person violating any provisions of this article shall be punished by a fine of five hundred dollars (\$500.00) or imprisoned for a term of not more than thirty (30) days or by the performance of community service of not more than forty (40) hours if directed by the court, or any combination of same if directed by the court. (Ord. No. 8206, 12-17-90)

#### **Sec. 8-20. Limit of applicability to subdivisions.**

Provisions of the article shall only be applicable only to property which has been subdivided in accordance with regulations for Ouachita Parish police jury. (Ord. No. 8206, 12-17-90)

***This ordinance plainly identifies “garbage” as animal or vegetable food waste, including any and all packaging or other materials that may have been in contact with such waste. An important part of this ordinance is its limit of applicability – the ordinance applies only to recognized subdivisions. Being recorded as such at the Ouachita Parish Courthouse identifies a recognized subdivision.***

## **Chapter 15 – OFFENSES-MISCELLANEOUS**

### **Sec. 15-16. Open-air burning; prohibition.**

(a) It shall be unlawful for any person to burn any material which releases any contaminants\* as defined under LSA-R.S. 30:2053, within one hundred (100) feet of a residential structure.

(b) Any person or persons who violates the provisions of this section shall be subject to a fine not to exceed one hundred dollars (\$100.00), or imprisoned for a term in the parish jail not to exceed ten (ten) days or both. (Ord. No. 8453, 2-3-97)

***Noteworthy in this ordinance is the fact that it is applicable to all areas of Ouachita Parish outside the city limits of Monroe and West Monroe, including subdivisions. It is illegal for any person to burn anything within 100 feet of any structure that is intended as a residence, including garbage. The “100 feet” applies to any person’s residential structure, including the structure of the party conducting the burning.***

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***This section serves to define the term “contaminants” in Sec.15-16 and is not a part of the ordinance proper.***

### **\*Contaminants Defined in LSA-R.S. 30:2053**

"Air contaminant" means particulate matter, dust, fumes, gas, mist, smoke, or vapor, or any combination thereof produced by other than natural processes.