

ORDINANCE NO. 1122

AN ORDINANCE OF THE CITY OF RAYMONDVILLE, TEXAS, PROHIBITING THE BURNING OF TRASH, REFUSE, GARBAGE, BRUSH OR ANY OTHER COMBUSTIBLE MATERIALS OF ANY NATURE WITHIN THE CITY LIMITS OF RAYMONDVILLE; PROHIBITING OPEN FIRES WITHIN THE CITY LIMITS OF RAYMONDVILLE; PROVIDING EXCEPTIONS THERETO; PROVIDING A SAVING CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR A FINE NOT TO EXCEED \$500.00 FOR VIOLATION OF THIS ORDINANCE.

WHEREAS, the Board of Commissioner of the City of Raymondville has determined that the burning of trash, refuse, garbage, brush or other combustible materials of any nature within the City Limits of Raymondville and starting and maintaining open fires constitute a nuisance, fire danger, and health danger to the citizens of Raymondville.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF RAYMONDVILLE, TEXAS:

**SECTION 1
BURNING PROHIBITED**

The starting, causing or allowing of the burning of any trash, refuse, garbage, brush or any other combustible materials of any nature within the City Limits of the City of Raymondville is expressly prohibited.

**SECTION 2
OPEN FIRES PROHIBITED**

Open fires, including camp fires, whether or not in a pit, barrel, or other container, and whether or not for the purpose of burning trash, refuse, garbage, brush or any other combustible materials of any nature are expressly prohibited within the City Limits of the City of Raymondville.

**SECTION 3
EXCEPTION FOR BARBECUE PITTS AND FIREPLACES**

(a) The use of a home barbecue pit shall not be deemed a violation of this Ordinance, and any person is hereby allowed to maintain barbecue pits in the normal and usual manner, and any person is also allowed to construct and maintain fireplaces within their homes, or outside their homes if such fireplaces are used as a barbecue pit, and the same shall not be deemed a violation of this Ordinance as long as it is properly maintained under the building codes of the City of Raymondville, if applicable.

(b) Every person who maintains a barbecue pit or fireplace shall be required to constantly supervise said barbecue pit or fireplace and extinguish the same after use.

(c) Nothing in this ordinance shall be construed to allow the burning of trash, refuse, garbage, brush or any other combustible materials of any nature in a barbecue pit, unless the same is used as a fuel for the purpose of firing said pit and cooking food thereon.

**SECTION 4
SAVINGS CLAUSE**

If any provision in this Ordinance is held by a court of competent jurisdiction to be invalid or unconstitutional, the remaining portions of this Ordinance shall, nevertheless, remain valid and enforceable.

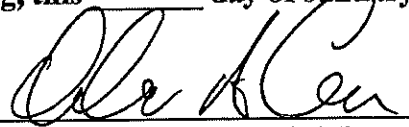
**SECTION 5
REPEALER CLAUSE**

All ordinance or parts of ordinances of the City of Raymondville in conflict with this Ordinance are hereby repealed, and Ordinances Nos. 419 and 940 are specifically repealed by this Ordinance.

**SECTION 6
PENALTY**

Violation of this Ordinance by any person, firm or corporation shall be punishable by a fine not to exceed \$500.00 and each day that a violation exists shall constitute a separate offense.

PASSED AND APPROVED on one reading, this 22nd day of January, 2008.



ORLANDO CORREA, Mayor

ATTEST:



ELEAZAR GARCIA, JR., City Secretary/Manager