

**ORDINANCE NO. 96**

**AN ORDINANCE REGULATING BURNING  
WITHIN THE CITY LIMITS OF THE CITY OF GOSHEN AND  
ESTABLISHING PENALTIES FOR VIOLATIONS HEREOF.**

WHEREAS, the City Council of the City of Goshen finds that there times of drought which occur increasing the threat of fire spreading from outside burning creating a danger to persons and their property; and

WHEREAS, Washington County, Arkansas, from time to time issues a burn ban which, without more, is only effective in the unincorporated areas of the County, not within the City of Goshen; and

WHEREAS, the City Council desires both to give effect within the corporate limits of Goshen to any burn ban issued by the County and to give authority to the Mayor to issue a executive order or proclamation, when, in the Mayor's opinion, conditions of drought are serious enough to declare that any outside burning should be temporarily prohibited.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF GOSHEN, ARKANSAS:

SECTION 1. Anytime either the County Fire Marshal or the County Judge of Washington County, Arkansas issues a ban on outside burning within Washington County, such restriction shall apply to immediately create a ban on outside burning within the corporate limits of the City of Goshen .

SECTION 2. Whether or not the County issues a burn ban, if conditions of drought exist within the City of Goshen, the Mayor may issue an executive order or proclamation declaring a ban on all outside burning within the corporate limits of the City of Goshen. Such executive order or proclamation shall not be continued or renewed for a period in excess of sixty (60) days except by or with the consent of the City Council. Such executive order or proclamation may be subject to review by the City Council at any meeting of the Council held after its issuance, with the Council being empowered to rescind or limit the duration of the executive order or proclamation of the Mayor, which bans outside burning.

SECTION 3. Any executive order or proclamation by the Mayor declaring, continuing, or terminating a ban on outside burning shall be filed promptly with the City Recorder. The Mayor or the Mayor's designee shall take such steps as deemed appropriate to give prompt and general publicity of the ban, including posting a notice at City Hall and notifying the Goshen Volunteer Fire Department a/k/a Goshen Fire District Association. Such notice shall serve as constructive notice to all citizens of the ban on outside burning.

SECTION 4. Any person violating any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200) or imprisoned for not more than ninety (90) days, or both, in the discretion of the court. Each incident or violation of this Ordinance shall constitute a separate offense notwithstanding the fact that the multiple incidents or violations may occur on the same day.

PASSED AND APPROVED this 11<sup>th</sup> day of September, 2012.



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Joe Benson, Mayor

ATTEST:



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Sharon Baggett, City Recorder

APPROVED AS TO FORM:



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Charles Harwell, City Attorney

ROLL CALL

Names Of Those Voting YEA

Andy Bethell  
Richard Seddon  
Brian Buell  
Paula Anderson  
Lanny Samuels

Absent

Joshua Lockhart

Names Of Those Voting NAY

None