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AUG 19 2010

LANCASTER COUNTY  
CLERK

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF LANCASTER COUNTY, NEBRASKA

IN THE MATTER OF AMENDING	)	
RESOLUTION NO. 5069, THE LANCASTER	)	RESOLUTION NO. <u>R-10-0069</u>
COUNTY AIR POLLUTION CONTROL	)	
RESOLUTION OF 1993, TO INCREASE THE	)	
FEE FOR OPEN BURNING PERMITS, AS	)	
PROVIDED IN ATTACHMENT "A"	)	

WHEREAS, in accordance with Neb. Rev. Stat. § 23-174.10 (Reissue 2007), the Lancaster County Board of Commissioners adopted the Lancaster County Air Pollution Control Resolution on November 16, 1993, for the purpose of achieving and maintaining reasonable levels of air quality which will protect human health and safety and promote the public safety, health, and welfare of Lancaster County; and

WHEREAS, pursuant to Neb. Rev. Stat. §13-801, et seq. (Reissue 2007), Lancaster County and the City of Lincoln entered into an Interlocal agreement for the purpose of providing for the establishment of the 1993 Lincoln-Lancaster County Air Pollution Program; and

WHEREAS, pursuant to Neb. Rev. Stat. § 71-1630 and §71-1635 (Reissue 2003), Lancaster County cooperated with the City of Lincoln in the establishment and maintenance of a City-County Health Department; and

WHEREAS, the Lincoln-Lancaster County Health Department requests that the County Board approve an increase in the cost for a burn permit, as provided in Attachment "A", which is attached hereto and incorporated by this reference; and

WHEREAS, on August 24, 2010, the Board of Commissioners of Lancaster County, Nebraska, conducted a public hearing regarding the adoption of the amendment to the Lancaster County Air Pollution Control Resolution, as provided in Attachment "A"; and

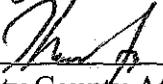
NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of

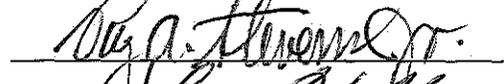
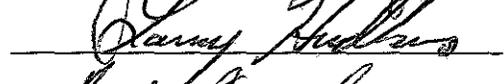
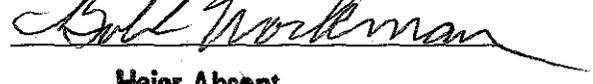
Lancaster County, the amendment to the Lancaster County Air Pollution Control Resolution of 1993, as provided in Attachment "A," is hereby adopted and shall become effective September 28, 2010.

BE, IT FURTHER RESOLVED, that a copy of this resolution and said amendment be placed on file in the office of the County Clerk.

DATED this 24 day of August, 2010, in the County-City Building, Lincoln,  
Lancaster County, Nebraska.

BY THE BOARD OF COUNTY  
COMMISSIONERS OF  
LANCASTER COUNTY, NEBRASKA

APPROVED AS TO FORM  
this 24 day of  
August, 2010.  
  
Deputy County Attorney  
GARY E. LACEY  
Lancaster County Attorney

  
  
  
  
Heier Absent

## ATTACHMENT "A"

**Resolution No. 5069**  
**Air Pollution**  
**Open Burning Permits**

Section 13. Open Burning Permits. (a) A written application shall be filed with the Director giving reasons why no other practicable method except open burning can be employed to dispose of the refuse involved, the amount and kind of refuse to be burned, the exact location where the burning will take place, including the distances to adjacent structures; and the dates or days and times when the open burning is proposed to take place. Applications from industrial or commercial businesses must be accompanied by payment of a permit fee of ~~\$120.00~~ \$125.00 per day on which burning is to take place. Said fee shall be credited to the Health Fund.