

**CITY OF WHITE SALMON WASHINGTON
ORDINANCE NO. 2013-11-928**

AN ORDINANCE AMENDING WSMC CH 8.30 REGARDING FIRE RESTRICTIONS, AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, the City Council of the City of White Salmon wishes to maintain the safety and welfare of city residents by regulating controlled burns; and

WHEREAS, the City finds that amendments are necessary to add new provisions and to remove obsolete language to ensure the health and safety of City residents; and

NOW, THEREFORE, the City of White Salmon do ordain as follows:

SECTION 1. WSMC Ch. 8.30 is hereby amended as follows:

Key: Deleted = ~~strikethrough~~

Added = underlined

Chapter 8.30 FIRE RESTRICTIONS

Sections:

8.30.010 Purpose.

8.30.020 Outdoor fires prohibited.

8.30.030 Use of woodstoves restricted.

8.30.040 Fire department practice burns permitted with conditions.

8.30.050 Violation-Penalties-Summary abatement.

8.30.010 Purpose.

It is the purpose of this chapter to prevent unnecessary outdoor burning which is found to be dangerous to the health and welfare of the city's citizens.

8.30.020 Outdoor fires prohibited.

- A. It is unlawful for any person to cause or allow any outdoor fire within the city limits of White Salmon except as hereinafter authorized.
- B. The following fires are allowed:
 - 1. Normal cooking fires contained in barbecue pits, hibachis, barbecue grills or similar facilities;
 - 2. Fires from flares, torches, waste gas burners, incense burners and insect pots;
- C. The following fires are allowed, but are subject to a Burn Ban from July 1-September 30 unless otherwise declared by the Fire Chief:

~~3.1.~~ Small wood fires for recreational purposes such as cooking marshmallows; not to exceed one foot in diameter or width.

~~GD.~~ The following outdoor fires may be allowed when authorized by permit only:

1. A fire authorized by the fire chief for the prevention of a fire hazard, provided no alternate means of prevention is reasonably available;
2. A fire authorized by the fire chief for the disposal of dangerous materials, provided no alternate means of disposal is reasonably available;
3. A fire authorized by the fire chief for instruction in the method of fighting fires or testing of fire resistive materials and fire protective equipment;
4. A fire for the disposal of waste material provided no alternate means of disposal is reasonably available, subject to the restrictions set forth in Section D, below;
5. Small fires for religious or ceremonial purposes, not to exceed two feet in diameter or width following authorization by the White Salmon city council to include appropriate time, place and manner restrictions.

~~DE.~~ ~~The mayor, upon recommendation of the fire chief, may ban any fires except those set forth in subsections (B)(1) through (3) of this section at any time that is determined to be a public hazard.~~

The following outdoor fires may be allowed by a self-issued permit provided all the following conditions are met:

1. The property is one acre in size or larger, and
2. Burning is restricted to natural vegetation which was grown on the property or bare untreated and unpainted wood (burning construction debris is prohibited), except for the paper (or other product approved by the Washington State Department of Natural Resources) required to ignite the fire, and
3. Clearances from flammable material are at least the following:
 - a. Not less than 50 feet from any structure for pile sizes greater than 3 feet in diameter.
 - b. Not less than 25 feet from any structure for pile sizes less than 3 feet in diameter and 2 feet in height.
- and,
4. An adult (over 18 years of age) person capable of extinguishing the fire shall attend it at all times, and
5. Open burns or debris fields shall not exceed 10' x 10' x 5' high and multiple fires shall not exceed a combined total of 100 square feet, and
6. Burning shall be conducted during daylight hours only (cannot feed the fire, but can let the fire burn), and,
7. Burning is not allowed during the Burn Ban period of July 1-September 30 or as otherwise declared by the Fire Chief, and,
8. You must call the Department of Ecology Burn Day Hotline at 1-800-406-5322 to determine if there is a burn ban due to poor air quality, and,
9. A shovel and a charged garden hose and/or 5 gallon or larger container of water is always present at the burn site.

8.30.030 Use of woodstoves restricted.

The burning of any material other than wood in woodstoves or fireplaces is prohibited except paper may be used as a starting agent.

8.30.040 Fire department practice burns permitted with conditions.

The fire department may maintain practice burns; provided that the property owner: provides proof of insurance satisfactory to the mayor; agrees to indemnify and hold the city harmless for any damages caused by the fire; and certifies that no hazardous substances are located on the real property or contained in the structure to be burned.

8.30.050 Violation-Penalties-Summary abatement.

Violation of this chapter shall be considered an infraction and shall be punishable by a fine of not less than fifty dollars for the first violation; one hundred dollars for the second violation and three hundred dollars for each subsequent violation. Any act prohibited by this chapter shall be considered a nuisance subject to immediate and summary abatement by fire or police personnel. Costs of abatement shall be assessed against any person who violates the provisions of this chapter and shall be imposed in addition to any fine.

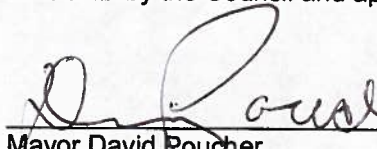
SECTION 2: EFFECTIVE DATE

This ordinance shall become effective five days after publication as provided by law.

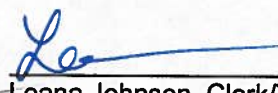
SECTION 3: SEVERABILITY

If any part of this ordinance is declared unconstitutional or otherwise invalid for any reason, the remaining provisions shall be construed to be effective after removing the objectionable provision(s).

PASSED by the Council and approved by the Mayor on November 20, 2013.

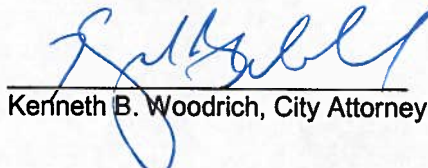


Mayor David Roucher



Leana Johnson, Clerk/Treasurer

APPROVED AS TO FORM:



Kenneth B. Woodrich, City Attorney