

ORDINANCE NO. 1619 N.S.

**AN ORDINANCE OF THE CITY COUNCIL OF COLVILLE, WASHINGTON,
SETTING REGULATIONS ON BURNING IN THE CITY OF COLVILLE.**

WHEREAS, the City of Colville is a safe place to live; and

WHEREAS, the health of the residents of the City of Colville can be adversely effected by increased smoke from burning.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF COLVILLE, WASHINGTON DOES ESTABLISH A NEW SECTION IN THE COLVILLE MUNICIPAL CODE REGARDING THE REGULATION OF BURNING IN THE CITY LIMITS:

SECTION 1: Chapter 8.36

**Chapter 8.36
BURNING PERMITS AND REGULATIONS**

Sections:

- 8.36.010 Definitions
- 8.36.015 Prohibition of burning.
- 8.36.020 Recreational fires.
- 8.36.025 Prohibited uses – Fuel restrictions.
- 8.36.030 Controlled burns – Colville Fire Department Controlled Burns – Exception.
- 8.36.035 Enforcement.
- 8.36.040 Penalty for violations.

8.36.010 Definitions.

A. "Open fire" means any outdoor fire that occurs in such a manner that combustion air is not effectively controlled and combustion products are not effectively vented through a stack or chimney.

B. "Recreational fire" means cooking fires, campfires, and bonfires that occur in designated areas or on private property for cooking, pleasure, or ceremonial purposes. Fires used for debris disposal purposes are not considered recreational fires.

8.36.015 Prohibition of burning.

It shall be unlawful for any person, firm or corporation to kindle or maintain or authorize the setting of any Open Fire upon any public or private land in the city of Colville.

8.36.020 Recreational fires.

(a) Use Conditions.

- (1) Only natural gas, clean, seasoned and dry firewood, charcoal, manufactured fire logs and liquid petroleum gas (LPG) (propane) are permissible fuels for a recreational fire.
- (2) A person capable of extinguishing the fire must attend it at all times, and the fire must be extinguished before leaving it.
- (3) Are subject to burn ban limitations (except LPG as the fuel).
- (4) There is a minimum 25-foot distance required from any structure for a recreational fire device (excluding barbeques).
- (5) Fire shall not be within ten (10) feet of adjoining property lines, fences or decks.
- (6) Pits shall not exceed three (3) feet in diameter and two (2) feet in height. The depth of the pit shall be a minimum of four (4) inches and capable of containing all burned material.
- (7) A minimum of ten (10) feet shall be maintained around the entire pit, free of combustible grass, shrubbery, weeds, vegetation and any other combustible material, including overhanging limbs from trees.
- (8) Fires shall be attended at all times by an alert individual with immediate access to a shovel and either five (5) gallons of water or a connected and charged water hose.

8.36.025 Prohibited uses – Fuel restrictions.

The following uses are prohibited:

- (a) Burn barrel.
- (b) Open burning.
- (c) Burning of yard waste/land clearing debris.

- (d) Garbage/trash burning.
- (e) Burning in a below-ground, open pit that contains the fire.
- (f) Burning of paper, except to start a fire.
- (g) Building materials burning, i.e., scrap wood, paint, vinyl flooring, roofing, carpet, etc.
- (h) Burning of carcuses, asphalt, petroleum products, paints, rubber products, plastics, cardboard, treated wood, construction/demolition debris, metal, or any substance (other than dry vegetation) that normally releases toxic emissions, dense smoke, or obnoxious odors when burned.
- (i) Burning of a recreational fire during air-quality burn bans.
- (j) Outdoor burning that causes an emission of smoke or any other air contaminant that is detrimental to the health, safety, or welfare of any person, that causes damage to property or business, or that causes a nuisance.

8.36.030 Controlled burns – Exception.

- (a) Department of Ecology permitted controlled burns by the Fire Department are allowed.
- (b) Any private Department of Ecology permitted open burns shall also be approved by the Fire Chief.
- (c) Controlled burns of structures are authorized with Department of Ecology approval.

8.36.035 Enforcement.

All illegal or unattended fires shall be extinguished immediately and are subject to investigation by the Colville fire department and citation from the Colville police department.

8.36.040 Penalty for violations.

- (a) Any person, firm or corporation convicted of violating this chapter or any portion thereof, shall be guilty of a misdemeanor.
- (b) Violation of this chapter is a misdemeanor, punishable by a fine of \$1,000.

SECTION 2: Effective Date

This Ordinance shall take effect and be in full force five (5) days from its passage, approval and publication.

Passed and adopted by the City Council of the City of Colville, Washington the 23rd day of October, 2018.

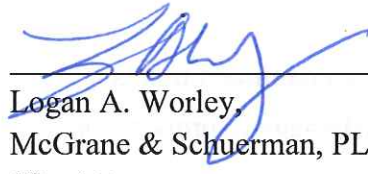


Louis Janke, Mayor



Attest: Holly Pannell, MMC, PFO,
City Clerk/Human Resources Manager

APPROVED AS TO FORM:



Logan A. Worley,
McGrane & Schuerman, PLLC
City Attorney

OrdinanceBurningRegulations

Adopted by Council on 10/23/2018
Published on 10/31/2018
Effective on 11/5/2018