ORDINANCE NO. 207

AN ORDINANCE AMENDING WALLA WALLA COUNTY CODE TO SET FORTH PROCEDURES AND CONDITIONS FOR OPEN BURNING IN THE COUNTY.

WHEREAS, under the Uniform Fire Code Walla Walla County is required to issue permits for open burning in the unincorporated areas of the County; and

WHEREAS, the County's Prosecuting Attorney's Office is responsible for the prosecution of violations of both RCW 52.12 and the Uniform Fire Code, and

WHEREAS, there is a need to have permit procedures and requirements consistent countywide, and

WHEREAS, the Board of County Commissioners held a public hearing on this matter on March 23, 1992, after legal notice was given as required by County Code, and

WHEREAS, it is hereby recognized that any Fire District or city within the County setting forth regulations more stringent than listed below, is free to do so, as long as the County Fire Marshal is updated on all activities herewith, now, therefore

BE IT RESOLVED by the Board of County Commissioners that the procedures and conditions for open burning in the County read as follows:

(see attached Exhibit "A")

Dated at Walla Walla, Washington, March 24, 1992.

Attest:

Clerk of the Board

Approved:

Commissioner - Chairman

Commissioner

Commissioner

CONSTITUTING THE BOARD OF COUNTY COMMISSIONERS OF WALLA WALLA COUNTY, WASHINGTON

- Section 15.04.141(a) "Permit" is defined, for purposes of this ordinance, as contacting the office of the County Planning Commission in person, in writing or by phone and providing the following information:
 - 1. The name, address and phone number of the permittee.
 - 2. The location and date of the intended burn.
 - 3. An indication by permittee to agree to the conditions of this ordinance including the requirement of contacting the APCA to determine if the conditions permit burning. A log of the foregoing maintained by the office of the County Planning Commission shall constitute the record of written and telephonically recorded permits.
- Section 15.04.141(b) When permits are issued by other Rural Fire Protection Districts, jurisdictions or authority under their appropriate authority, their requirements, procedures, and standards for burning will take precedence over the requirements of this Section.
- Section 15.04.141(c) OPEN BURNING PERMITTED Open burning is permitted in Walla Walla County except when specifically prohibited by declaration of the County Fire Marshal, subject to conditions set forth in Section 2. This provision does not apply to ceremonial, cooking, or warming fires.
- Section 15.04.141(d) <u>CONDITIONS FOR OPEN BURNING</u> All open burning must comply with the following regulations:
 - 1. Prior to each burning, the Tri-County Air Pollution Control Authority or its designee must be contacted to determine if it is a "burn day" based on local air conditions.
 - Prior to burning, any written approvals or permits required by the local fire protection district or jurisdictions and/or Tri-County Air Pollution Control Authority must first be obtained.
 - 3. Certain conditions may make burning unsafe, resulting in "No Burn" periods:
 - A. Winds over 10 miles per hour.
 - B. Temperature extremes and drought.
 - C. Pollution alerts.

- Residential burning is limited in size to a pile of 3 feet or less in diameter and 1.5 feet or less in height.
- 5. All burning shall 'take place after 9 a.m. and must be completely extinguished one hour before sunset.
- 6. A minimum of one responsible person, at least 18 years old, is required and must be present for a burn under one acre. The required fire monitor must be in constant attendance until the fire has been completely extinguished. The fire monitor must have in his/her possession, while controlling the fire, the below-listed equipment:
 - A. Shovel, hoe, or rake.
 - B. A water source sufficient to take care of the fire.
- 7. The fire shall be located not less than 50 feet from any structure or power pole, and not under overhead transmission lines.
- 8. No person shall kindle a fire upon the land of another without written permission of the landowner or agent.
- 9. None of the following materials shall be burned:
 - A. Carbage, dead animals, asphalt, or petroleum products, paints, rubber products, plastics or any substances which emit dense smoke or obnoxious coors (i.e. wet or green plant vegetation).
- 10. All field areas to be burned will have an adequate fire guard/barrier to protect the surrounding areas.
 - A. An adequate fire guard is defined as a 10 foot wide firebreak.
 - B. A firebreak must eliminate a minimum of 90% of the fuel.

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JANICE E. BATES COUNTY AUDITOR

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MAR 2 3 1992

WALLA WALLA COUNTY COMMISSIONERS

May were

824 Bryant Ave. Walla Walla, Wa. 99362 Mar. 22, 1992

Walla Walla County Commissioners 315 W. Main St. WAlla Walla, Wa.

Dear Sirs:

We, the undersigned, wish to voice our support for strict burn control ordinances and strict enforcement of them and other regulations pertaining to burning and waste disposal in the city and county of Walla Walla.

The health hazards related to burning dry brush and trash during times of high air pollution are well known. Burning garbage and wet brush at anytime is unacceptable as it is unhealthy and the foul odors pollute the surrounding neighborhood. Regulation of outdoor burning is a matter of high priority for the health of our citizens. We look forward to your leadership in these matters.

Mary D. Barga

Mary D. Barga

Jack L. Barga

Letters regarding Burning Ordense

3/23/92

WALLA WALLA COUNTY COMMISSIONERS 315 W. MAIN WALLA WALLA, WA 99362

MARCH 19, 1992

DEAR COMMISSIONERS CAREY, MAIDEN & NEEDHAM:

OTHER RESPONSIBILITIES ON TUESDAY, MARCH 24TH. 1992 WILL PREVENT ME FROM ATTENDING THE PUBLIC HEARING ON THE ISSUE OF OPEN BURNING IN WALLA WALLA COUNTY.

PLEASE BE ADVISED OF A SERIOUS PROBLEM THAT EXISTS ON THE OUTSKIRTS OF THE CITY OF WALLA WALLA WHERE RESIDENTS ARE BURNING GARBAGE. EVEN WITH LAWS PROHIBITING SUCH AN ACT IT DOES STILL HAPPEN WHERE RESIDENTS ARE UNWILLING TO PAY A COLLECTION FEE FOR REFUSE AND WILL EITHER BURN OR ILLEGALLY DUMP ON SOMEONES ELSES PROPERTY, OR PLACE THE REFUSE IN SOMEONES ELSES TRASH CONTAINER.

OUR NEIGHBOR'S EARL ROBERGE, 764 BRYANT AND L.K. SPALINGER, 838 BRYANT ARE GOOD EXAMPLES OF NON-COMPLIANCE WITH THE LAW. THEY WILL USUALLY WAIT UNTIL DARK AND THEN LIGHT THEIR BURN BARRELS. IF CONDITIONS ARE NOT RIGHT FOR SMOKE DISPERSAL ALL THE NEIGHBORS SUFFER FROM THE POLLUTION. NEITHER PARTY HAS GARBAGE DISPOSAL SERVICES. COULD GARBAGE DISPOSAL BE REQUIRED FOR THE COUNTY RESIDENTS LIVING IN THE POPULATED AREAS?

I ASSUME MOST OF YOU KNOW THAT MY WIFE AND I ARE NOT THE PROTESTING TYPE. WE MERELY APPRECIATE HAVING RELIEF FROM THE CARCINOGENS THAT AGGREVATE ALLERGIES AND ATHSMA.

IT'S INTERESTING READING IN EARL ROBERGE'S NEW BOOK "TIMBER COUNTRY REVISITED" HOW HE'S CRITICAL OF LOGGERS WHO HAVE RAPED THE LAND AND HE HIMSELF IS CONTRIBUTING TO OUR AIR POLLUTION ON BRYANT ST.

YOUR EFFORTS ARE GREATLY APPRECIATED.

VERY TRULY YOURS,

Benhard J. Lang

COPY

BERNHARD J. LANG 756 BRYANT AVENUE WALLA WALLA, WA 99362 525-2490

RECEIVED

MAR 2 3 1992

WALLA WALLA COUNTY
COMMISSIONERS

NOTICE OF PUBLIC HEARING

WHAT: Proposed Change to Walla Walla County Code to Adopt

Procedures and Conditions for Open Burning

WHERE: Walla Walla County Courthouse

Commissioners! Chambers

315 W. Main

Walla Walla, WA 99362

WHEN: Monday, 2:30 p.m. March 16, 1992

follows:

Notice is hereby given that the Walla Walla Board of County Commissioners will hold a public hearing on Monday, March 16, 1992, at 2:30 p.m. in the Commissioners' Chambers, Walla Walla County Courthouse, 315 W. Main, Walla Walla, WA to adopt a change to the Walla Walla County Code to set forth procedures and conditions for open burning in the County. The proposed text of the ordinance is as

Section 15.04.141(a) "Permit" is defined, for purposes of this ordinance, as contacting the office of the County Planning Commission in person, in writing or by phone and providing the following information:

- 1. The name, address and phone number of the permittee.
- 2. The location and date of the intended burn.
- 3. An indication by permittee to agree to the conditions of this ordinance including the requirement of contacting the APCA to determine if the conditions permit burning. A log of the foregoing maintained by the office of the County Planning Commission shall constitute the record of written and telephonically recorded permits.
- Section 15.04.141(b) When permits are issued by other Rural Fire Protection Districts, jurisdictions or authority under their appropriate authority, their requirements, procedures, and standards for burning will take precedence over the requirements of this Section.
- Section 15.04.141(c) OPEN BURNING PERMITTED - Open burning is permitted in Walla Walla County except when specifically prohibited by declaration of the County Fire Marshal, subject to conditions set forth in Section 2. This provision does not apply to ceremonial, cooking, or warming fires.
- Section 15.04.141(d) CONDITIONS FOR OPEN BURNING - All open burning must comply with the following regulations:

BOARD OF COUNTY COMMISSIONERS WALLA WALLA COUNTY, WASHINGTON



IN THE MATTER OF CONTINUING THE PUBLIC HEARING ON THE PROPOSED CHANGE TO WALLA WALLA COUNTY CODE TO ADOPT PROCEDURES AND CONDITIONS FOR OPEN BURNING

RESOLUTIONS NO.

92 106

WHEREAS, a public hearing was scheduled for Monday, March 16, 1992, at the hour of 2:30 P.M. to take public testimony in favor of and in opposition on the proposed change to the Walla Walla County Burn Permit Ordinance; and

WHEREAS, the Board of Walla Walla County Commissioners have requested additional time to acquire more information on the proposed Burn Permit Ordinance; now, therefore,

BE IT RESOLVED by this Board of Walla Walla County Commissioners that the aformentioned public hearing be continued to Monday, March 23, 1992, at the hour of 2:30 P.M. in the Commissioners' Chambers, Walla Walla County Courthouse, 315 West Main Street, Walla Walla, Washington.

Done this 16th day of March 19 92

Attest: Chlys Fink
Clerk of the Board.

Chairman

Commissioner

Commissioner

Constituting the Board of County Commissioners of Walla Walla County, Washington.



ORDINANCE NO. 207

AN ORDINANCE AMENDING WALLA WALLA COUNTY CODE TO SET FORTH PROCEDURES AND CONDITIONS FOR OPEN BURNING IN THE COUNTY.

WHEREAS, under the Uniform Fire Code Walla Walla County is required to issue permits for open burning in the unincorporated areas of the County; and

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WHEREAS, there is a need to have permit procedures and requirements consistent countywide, and

WHEREAS, the Board of County Commissioners held a public hearing on this matter on March 23, 1992, after legal notice was given as required by County Code, and

WHEREAS, it is hereby recognized that any Fire District or city within the County setting forth regulations more stringent than listed below, is free to do so, as long as the County Fire Marshal is updated on all activities herewith, now, therefore

BE IT RESOLVED by the Board of County Commissioners that the procedures and conditions for open burning in the County read as follows:

(see attached Exhibit "A")

Dated at Walla Walla, Washington, March 24, 1992.

Attest:

9202793

Clerk of the Board

Approved:

Commissioner - Chairman

Commissioner

Commissioner

CONSTITUTING THE BOARD OF COUNTY COMMISSIONERS OF WALLA WALLA COUNTY, WASHINGTON

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 - B. Temperature extremes and drought.
 - C. Pollution alerts.

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JANICE E. BATES COUNTY AUDITOR

VOL

BOARD OF COUNTY COMMISSIONERS WALLA WALLA COUNTY, WASHINGTON



IN THE MATTER OF CONTINUING THE PUBLIC HEARING ON THE PROPOSED CHANGE TO WALLA WALLA COUNTY CODE TO ADOPT PROCEDURES AND CONDITIONS FOR OPEN BURNING

RESOLUTIONS NO.

92 106

WHEREAS, a public hearing was scheduled for Monday, March 16, 1992, at the hour of 2:30 P.M. to take public testimony in favor of and in opposition on the proposed change to the Walla Walla County Burn Permit Ordinance; and

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Done this 16th day of March 19 92

Attest: Chlys Fink
Clerk of the Board.

Chairman

Commissioner

Commissioner

Constituting the Board of County Commissioners of Walla Walla County, Washington.

20 10 10 10 p.m.

WALLA WALLA COUNTY REGIONAL PLANNING

310 W. Poplar • Suite 117 • Walla Walla, WA 99362-2865 Telephone (509) 527-3285 • SCAN 629-4458 • FAX (509) 527-3214

MEMO

TO: Chairman and Board of County Commissioners

FROM: Jim Beard Janning Director

DATE: February 24, 1992

RE: Proposed Burn Permit Ordinance

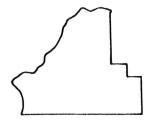
Please find enclosed the ordinance as advertised. There are two items that are different than what we have been discussing.

1. Section 15.04.141(b) is new. It clarifies a question asked by the Board several times about these rules conflicting with rules passed by a Rural Fire Protection District.

2. Section 15.04.141(d) 3A. When winds are over 10 mph, it will be declared a "no burn day". We have discussed allowing burning up to 20 mph.

Explanation: If a fire suppression agency (RFPD) wants to permit burning at a greater wind speed, they can do it by their own rules under Section 15.04.141(b). Since they have the ability to fight a fire if it gets out of control, it may be appropriate for them to allow a greater risk. We, however, should be on the safe side by being more conservative or "erring on the side of safety", particulary in the more populated areas. If farmers want to be able to field burn at higher wind speeds, encourage them to put the heat on the fire district commissioners to pass their own permit system.

Keep in mind this is a proposal for public hearing and you may change it at the conclusion of the hearing if appropriate, or based on prevailing testimony.



WALLA WALLA COUNTY REGIONAL PLANNING

310 W. Poplar • Suite 117 • Walla Walla, WA 99362-2865 Telephone (509) 527-3285 • SCAN 629-4458 • FAX (509) 527-3214

February 21, 1992

The Waitsburg Times P.O. Box 97 Waitsburg, WA 99361

To Whom It May Concern:

Please publish the enclosed notice in your February 27, 1992 issue. Thank you.

SHELLEY SMITH Office Assistant

Enclosures as stated

NOTICE OF PUBLIC HEARING

WHAT: Proposed Change to Walla Walla County Code to Adopt

Procedures and Conditions for Open Burning

WHERE: Walla Walla County Courthouse

Commissioners' Chambers

315 W. Main

Walla Walla, WA 99362

WHEN: Monday, 2:30 p.m.

March 16, 1992

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 - A. An adequate fire guard is defined as a 10 foot wide firebreak.
 - B. A firebreak must eliminate a minimum of 90% of the fuel.

You may appear at the public hearing to enter your testimony in favor of or in opposition to this request or you may forward a written statement which will be read into the record to:

Walla Walla County Regional Planning 310 W. Poplar, Suite 117 Walla Walla, WA 99362

or call 509-527-3285 for further information on this proposal.

DATED THIS 27th day of February, 1992 WALLA WALLA COUNTY PLANNING COMMISSION

By Jim W. Beard Planning Director

NOTICE OF PUBLIC HEARING

WHAT: Proposed Change to Walla Walla County Code to Adopt

Procedures and Conditions for Open Burning

WHERE: Walla Walla County Courthouse

Commissioners' Chambers

315 W. Main

Walla Walla, WA 99362

WHEN: Monday, 2:30 p.m.

March 16, 1992

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