

**CITY OF WESTFIR
ORDINANCE NO. 142**

AN ORDINANCE REGULATING BURNING WITHIN THE CITY OF WESTFIR;
ESTABLISHING PENALTIES; AND REPEALING ORDINANCE NO. ~~107~~ 137 ^{NT}

The City of Westfir, Oregon ordains as follows:

Section 1. Open Burning Prohibited – Exceptions – Open burning, including the use of burn barrels, is prohibited within the City. The following exceptions apply:

- (1) Propane, natural gas or briquette barbecues used exclusively for cooking food for human consumption that meet applicable federal, state, and local requirements. This exception applies throughout the year.
- (2) The following exceptions are not applicable when local or state fire marshal prohibits all open burning due to high fire danger:
 - a. Recreational fires (no larger than 3 feet in diameter and 2 feet in height), limited to fires lit in Chimineas, patio fireplaces, fire pits, or other similar devices using charcoal, natural gas, propane, manufactured firelogs, or clean dry natural firewood as fuel, and which occur on private property or designated recreational areas (campsites, parks, etc.), and must be attended at all times;
 - b. Burning of woody yard trimmings as outlined in Section 2.

Section 2. Residential Outdoor Burning – Woody yard trimmings include limbs, branches and twigs with any attached leaves which have been cut from or fallen from trees or shrubs from the property around a dwelling unit. No uncut vegetation shall be burned. No person shall cause, or allow to be initiated or maintained, outdoor burning of any material which normally emits dense smoke, noxious odors, or hazardous air contaminants; such materials may include but are not limited to household garbage, plastics, rubber, paper, clothing, or grass clippings. A person may burn woody yard trimmings in a burn pile subject to all of the following conditions:

- (1) Residential outdoor burning is allowed only on approved burning days with a valid fire permit obtained from the City Recorder. The start and end times for burning vary and are set as part of the daily burning advisory issued by Lane Regional Air Protection Agency (LRAPA);
- (2) Open burning is conducted at least 50 feet away from any structure and is constantly attended until fully extinguished. A shovel and hose must be located within 15 feet of the burn pile and readily accessible. Burn piles more than 8 feet in diameter must be inspected by City staff or the Fire Department prior to burning;
- (3) All applicable US Forest Service, Oregon Department of Forestry, and LRAPA regulations on open burning apply;
- (4) Burning of woody yard trimmings is conducted only between the dates of October 1 to June 15, subject to local or state fire marshal prohibiting all open burning due to high fire danger.

Section 3. Permit Required – A permit shall be obtained from the City Recorder prior to igniting a burn pile. The permit shall specify the length of time the permit shall be valid. A fee established by City Council resolution shall be paid at the time of permit application. The permit may be denied or revoked when City staff, Fire Department, or LRAPA authority determines that burning or smoke emission are hazardous, offensive, or in violation of this Ordinance.


Section 4. Use of Wood Stove Restriction – The burning of any materials other than dry wood in wood stoves or fireplaces is prohibited, except paper products may be used as a starting agent.


Section 5. Penalties – The City may assess a fine not to exceed \$250.00 against any person responsible for violating any provisions of this Ordinance.

Section 6. Repealing Clause – Ordinance No. ¹³⁷~~107~~^{NT} is hereby repealed in its entirety.

Passed by the Council and approved by the Mayor on this 1 day of November 2021.

AYE: 5 NAY: 0 ABSENT: 0


Melody Cornelius, Mayor

ATTEST: 
Nicole Tritten, City Recorder

DATE: 11-1-2021