

0020.070.005
TAR/srf
09/09/92

RMC 9.22, Prohibit Add'l
Outdoor Burning

ORDINANCE NO. 1701

ORIGINAL

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING CHAPTER 9.22 OF THE REDMOND MUNICIPAL CODE TO PROHIBIT ADDITIONAL TYPES OF OUTDOOR BURNING, BY FURTHER LIMITING THE EXEMPTIONS FOR THE SAME, AND CREATING AN EFFECTIVE DATE.

WHEREAS, as of September 1, 1992, the City of Redmond is to be included within the Puget Sound Air Pollution Control Agency's non-attainment area, and

WHEREAS, according to the Puget Sound Air Pollution Control Agency, all outdoor fires are restricted in non-attainment areas with minor exemptions, and

WHEREAS, the City's current code conflicts with the limited exemptions authorized in the non-attainment area pursuant to the regulations of the Puget Sound Air Pollution Control Agency, and

WHEREAS, the City Council of the City of Redmond, Washington has determined that the City's regulation of outdoor burning should be consistent with the regulations for the non-attainment area adopted by the Puget Sound Air Pollution Control Agency, NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, HEREBY ORDAINS AS FOLLOWS:

Section 1. Exemptions. Section 9.22.040 of the Redmond Municipal Code is hereby amended to read as follows:

9.22.040 Exemptions. The following outdoor fires are exempt from the prohibition on outdoor burning:

1. Fires for instruction in the method of fighting fires (except forest fires), provided prior written approval has been issued by the Redmond Fire Department;

2. Fires associated with agricultural activities for controlling diseases, insects, weed abatement or development of physiological conditions conducive to increased crop yield, provided written confirmation has been furnished by a designated county extension agent or agricultural specialist designated by the Cooperative Extension Service that burning is the best management practice. Redmond Fire Department must be notified in advance;

3. Fires for abating a forest fire hazard, to prevent a hazard, for instruction of public officials in methods of forest fire fighting, any silvicultural operation to improve forest lands, and silvicultural burning used to improve or maintain fire dependent ecosystems for rare plants or animals within state, federal, and private natural area preserves, natural resource conservation areas, parks, and other wildlife areas, provided prior written approval has been issued by the Washington Department of Natural Resources;

4. Fires consisting solely of charcoal, propane, natural gas, or wood used solely for the preparation of foods;

5. Fires no larger than four feet in diameter and three feet in height for campfires, at designated federal, state, county or city parks and recreational areas, but only when and where permitted by those agencies;

6. Fires for Indian ceremonies or for the sending of smoke signals if part of a religious ritual. Fires connected with

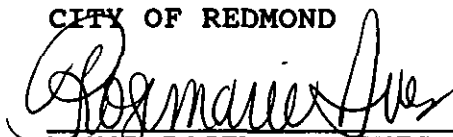
other religious or ceremonial purposes,
if approved by the Puget Sound Pollution
Control Agency.

It shall be prima facie evidence that the
person who owns or controls property on which
an outdoor fire occurs has caused or allowed
said outdoor fire.

Nothing contained within this ordinance shall
be construed to allow outdoor fires in those
areas in which open burning is strictly
prohibited by laws, ordinances, or regulations
of the state or any city, county, or fire
district. Additionally, nothing contained
within this ordinance shall relieve the
applicant from obtaining permits required by
any state or local fire protection agency or
for compliance with the Uniform Fire Code.

Section 2. Severability. If any section, sentence,
clause or phrase of this ordinance should be held to be invalid or
unconstitutional by a court of competent jurisdiction, such
invalidity or unconstitutionality shall not affect the validity or
constitutionality of any other section, sentence, clause or phrase
of this ordinance.

Section 3. Effective Date. This ordinance, being an
exercise of a power specifically delegated to the City legislative
body, is not subject to referendum, and shall take effect five (5)
days after passage and publication of the ordinance or a summary
thereof consisting of the title.

CITY OF REDMOND

MAYOR ROSEMARIE IVES

ATTEST/AUTHENTICATED:

Doris A. Schaible
CITY CLERK, DORIS SCHAIBLE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY: 

FILED WITH THE CITY CLERK:	October 29, 1992
PASSED BY THE CITY COUNCIL:	November 3, 1992
SIGNED BY THE MAYOR:	November 3, 1992
PUBLISHED:	November 8, 1992
EFFECTIVE DATE:	November 13, 1992
ORDINANCE NO. <u>1701</u>	