

## Chapter 8.08

### OPEN BURN RULES

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#### **8.08.05 Definition**

Yard debris The by-product of maintaining naturally occurring organic growth, except poison oak.

#### **8.08.010 Prohibited Fires**

No person shall conduct any outside open burning including, but not limited to, kindling maintaining or burning any bonfire, outdoor rubbish or waste fire or use any trash burners, incinerators or burn barrels nor authorize any such fires or use of such devices on public or private land, unless as authorized by the city as provided herein.

#### **8.08.020 Permit Required Fires**

Council may authorize otherwise prohibited fires subject to the payment of the cost of the permit for inspection by the fire chief or police chief, or their designee, and shall be limited to the burning of natural, untreated or otherwise processed wood.

1. Yard debris, after obtaining a permit authorized by City Hall, valid for 48 hours. With a permit one may burn personal yard debris, collected from

permitted property, in one pile not to exceed four feet by four feet by four feet. Reasonable amounts of non-glossy paper may be used as an ignition source.

2. "Burn to learn" events, or special events or occasions, after DEQ and Council approval, not to exceed one event per year per applicant.

3. No person shall apply for more than one permit in any one calendar month. No permit shall be issued to any one property at a rate exceeding one per calendar month. Permits are specific to persons and properties, and are otherwise non-transferable.

#### **8.08.030 Exempt Fires**

The following fires are exempt from the prohibition of this ordinance:

1. Appropriate barbecue appliances.
2. Outdoor patio or yard fireplaces.
3. Decorative or ornamental
4. Ceremonial fires.

#### **8.08.040 Nuisance**

No person shall conduct a permitted burn if such a burn creates a nuisance to others, as determined and enforced by the City of Port Orford Police Chief, or his designee.

#### **8.08.050 Safety**

One with the Permit and/or the property owner is hereby responsible for maintaining a safe, controlled, permitted burn, and is solely responsible for injuries and/or damages resulting from failure to do so. A fire must be manned

by a person 18 or over, with a fully charged hose and a shovel.

1. No fire may be lit, fed, stoked, or otherwise encouraged to burn except during daylight hours
2. Permits may not be issued during fire season, and may be otherwise restricted by Fire Chief, or Police Chief, at their discretion.

**8.08.060 Violations**

Unless otherwise established by statute or ordinance, violation of a provision of this ordinance is a civil violation, punishable by a fine not to exceed \$1,000.00 for each occurrence.

**8.08.070 Severability**

A. The sections and subsections of this ordinance are severable. The invalidity of one section or subsection shall not affect the validity of the remaining sections or subsections.