

BE IT REMEMBERED, that at a regular term of the Board of Commissioners of the State of Oregon, for the County of Union, sitting for the transaction of County business, begun and held at the Joseph Building Annex in the City of La Grande, in said County and State, on Wednesday of said month and the time fixed by law for holding a regular term of said Commissioner, when were present:

The Honorable	<u>Jack Howard</u>	Chairman
	<u>Steve McClure</u>	Commissioner
	<u>Mark D. Davidson</u>	Commissioner

WHEN, on WEDNESDAY, the 16th day of March, 2016, among others the following proceedings were had to-wit:

IN THE MATTER OF AN ORDINANCE)	
REGULATING BURNING OUTSIDE CITY)	ORDINANCE NO.
LIMITS)	2016-01

WHEREAS, the Union County Board of Commissioners have determined that those lands which are outside of city limits are particularly exposed to increased fire danger during the annual fire season each year which could cause substantial damage to property and/or loss of human life. In order to minimize this threat to property and human life, it is necessary to regulate open burning and use of incinerators and burn barrels outside of city limits. This ordinance repeals and replaces ordinance number 1991-19.

NOW THEREFORE, it is HEREBY ADOPTED by the Union County Board of Commissioners an ordinance regulating the use of incinerators, burn barrels, improved fire pits, fire appliances, and prohibiting burning other than regulated agricultural field burning during certain times.

1. Burn Permits Required: A burn permit is required for all open burning at all times outside city limits. The use of burn barrels, improved fire pits and fire appliances are allowed without a permit outside of fire season, but must meet the siting requirements listed in subsection 2.
2. Fire Season: Regulated fire season shall be in effect from July 1 to September 30 of each year. Fire Season may begin earlier or extended based on conditions and at the recommendation of the Union County Fire Defense Board followed by approval of the Union County Board of Commissioners.
 - A. Open Burning Ban: During regulated fire season, no open burning shall be allowed on all public and private lands within rural fire protection districts and outside of city limits and on all other public and private lands in Union County. This provision shall not prohibit regulated agricultural field burning, or the use of gas barbecues at residences.
 - B. The use of incinerators and burn barrels for the burning of trash within the described lands shall be allowed between the hours of 6:00 a.m. and 10:00 a.m. Burn barrel use must comply with the following conditions:
 - a. Barrels must be located in an area free of burnable materials with a 10 foot radius around the base of the burn barrel.
 - b. Burn barrels shall not be within 25 feet of any structure.
 - c. Burn barrels shall be in good condition and equipped with a heavy metal screen on top (minimum 14 gauge wire mesh, one-fourth inch or smaller openings in order to prevent sparks from escaping and igniting nearby vegetation).
 - d. Burning on windy days, where burning material will be transported beyond the cleared area is prohibited.
 - e. Burn barrel fires shall be attended at all times by responsible person(s).
 - f. Said responsible persons shall have on site and readily available for use a shovel and water sufficient to suppress accidental ignitions.
 - g. In areas under the protection of the Oregon Department of Forestry (ODF) including areas of "dual protection" ODF burn permit requirements apply.

C. The use of improved fire pits and fire appliances (defined as gas fire places, metal or stone chimeneas, charcoal barbeques and commercial fire pits or similar products) are allowed during fire season by the land owner or their agent under the following conditions:

- a. Improved Fire Pits: Recreational fires are allowed only in rock-lined fire pits surrounded by dirt, rock, or commercial rings. Combustible material shall be removed a minimum of three feet beyond the fire ring.
- b. All manufacturers' suggestions, instructions and safety precautions are taken to ensure the appliance is in good working order and operates per manufacturer's specifications.
- c. Clean dry fuel in the fire pit or fire appliance should be used in order to ensure complete combustion.
- d. Fires shall be attended at all times by responsible person(s).
- e. A 10 foot fire break must be in place.
- f. Fire shall be fully extinguished prior to leaving.
- g. Follow Oregon Department of Forestry permit requirements in areas where they have dual protection responsibility.

3. Burn Ban/Regulated Use: If extreme fire danger exists, and at the recommendation of the Union County Fire Defense Board, the Board of Commissioners may ban all fires outside incorporated cities. Under a Complete Burn Ban, no fires of any kind are allowed except regulated agricultural field burning and gas barbeques. Gas barbeques must follow the above fire appliance requirements.

A. Special Event Permit: At the discretion of the affected District Fire Chief, and/or affected fire protection agencies (ODF or USFS), a special use permit for a fire within Regulated Fire Season or Burn Ban may be issued. Land under dual protection, must be approved by all affected agencies. Permits shall be issued in writing by the Fire Chief or affected agency administrator and may contain mitigation measures or conditions of approval, e.g. the permit may necessitate the presence of firefighting apparatus.

Any person violating the provisions of this ordinance shall be guilty of a Class B misdemeanor punishable by a maximum fine of \$2,500.00 or a maximum imprisonment in the County jail for 6 months.

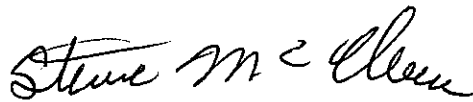
First Reading Date: March 2, 2016

Second Reading Date: March 16, 2016

Approved this 16th day of March, 2016.



Jack Howard, CHAIRMAN



Steve McClure, COMMISSIONER



Mark D. Davidson, COMMISSIONER