

Ordinance 2021-04-09

AN ORDINANCE REPEALING ORDINANCE 12-13-2012 WHICH WAS ENACTED 12/13/2012.

AN ORDINANCE ENACTING REGULATING FIRES AND DANGEROUS BURNING SITUATIONS IN THE CITY LIMITS OF HALFWAY, OREGON; PROMOTING PUBLIC HEALTH, SAFETY, AND WELFARE OF THE CITIZENS OF HALFWAY DUE TO THE AIR POLLUTION AND FIRE HAZARDS CAUSED BY RESIDENTIAL BURNING INVOLVING BURN BARRELS, OPEN BURNING, AND BURNING OF REFUSE.

WHEREAS IT IS THE CITY'S DUTY TO ENFORCE THE LAWS REGARDING BURNING WITHIN THE CITY LIMITS,

THEREFORE, THE CITY OF HALFWAY ORDAINS AS FOLLOWS:

Section 1: Ordinance number 12-13-2012 is hereby repealed.

Section 2: Burn Permits are required for any and all burning within City Limits, except for wood stoves for heating of a building. They will be effective from January 1 through December 31 of each year. There will be 2 permits available for the full year as well as one for a longer burn time only available every quarter of each year (each 3 months), and these permits will be for morning use of burn barrels or burn pits as well as recreational use of burn pits and 1 permit for special (large) burns. Getting a permit for morning burning in a barrel or small pit will not be charged. There will be a charge for recreational burn permits and special burn permits. Each permit will be assigned a specific address, and is not transferrable to any other address at any time. All permits must be approved by city staff, who will sign off on the permit during the filling out process before the permit will be usable.

The permit for morning burns in barrels or burn pits is for the hours of 6:00 AM to 11:00 AM, with all fire including smoldering and smoke out by 11:00 AM. The permit will be allowed for all enclosed burns with a height of less than 5 feet for flames and venting to allow for a breathable fire. Even with a permit for the address there will no burning during times of declared fire danger (or ban) by either Baker County or the State Fire Marshal.

A Recreational burn permit is for the hours of 5:00 PM to 11:00 PM with all fire out including smoldering and smoke by 11:00 PM. The permit will be allowed for enclosed fires with a height of 5 feet or less for flames. The cost for a recreational burn permit will be \$5.00 per year. Even with a permit for the address there will no burning during times of declared fire danger (ban) by either Baker County or the State Fire Marshal.

A 24 hour burn permit is a special permit (for larger burns), and the burn is allowed for up to 24 hours at one time. The cost is \$5.00 each, and will only be available once per quarter (every three months) per address. Special permits will not be allowed during times of declared fire danger (or ban) by either Baker County or the State Fire Marshal.

Ordinance 2021-04-09

Section 3: No person shall burn any material less than twenty feet from a building or other structure including fences within the city limits of Halfway, Oregon unless such burning is done in an incinerator or enclosed burning devise (such as a wood stove) which is approved by the City of Halfway. An incinerator or enclosed burning devise shall be covered by wire mesh grating no greater than one-quarter inch (1/4") mesh and located no closer than ten feet from any building, structure, or fence. The fire shall be closely monitored at all times by a preson 16 years of age or older and a charged garden hose shall be present while burning is in progress.

Section 4: No person shall burn any material within the city limits of the City of Halfway, Oregon unless they have gotten a permit for burning and follow the rules set for the type of burning they are doing. Morning burn hours are 6:00 AM to 11:00 AM, Recreational burn hours are 5:00 PM to 11:00 PM, and Special burn hours are for a given 24 hour period as given on the permit.

Section 5: No person shall burn any matrials that emit foul and/or nauseous odors when burning. It is never permissible to burn any household garbage whether wet or dry, such as but not limited to; plastics, metal (including all cans, aerosol also), diapers (dirty or not), furniture stuffed with foam rubber, carpet with rubber or plastic backing, or containers with hazardous or toxic chemicals.

Section 6: No person shall burn under any type of overhang within city limits of Halfway, Oregon. Overhangs include but are not limited to roofs to homes or outbuildings, trees and tree limbs, shrubs, and utility lines.

Section 7: No person shall burn in an area that is dangerous such as near fuel tanks, in roadways, and in areas that may impact livestock.

Section 8: No person shall engage in any burning inside or outside of a building (unless approved by licensing from the State of Oregon, such as the Funeral Home) during times of the year when the State Fire Marshall or Baker county has declared a fire danger (or ban), there will be "NO" open burning allowed.

Section 9: Any person found guilty of violating this Ordinance will be issued a warning citation upon thie first offense. Added offenses will in result removal of current burn permit and the inability to get a burn permit in future years.

Section 10: It is hereby determined and found that it is in the best interest and welfare of the people of the City of Halfway, Oregon that this burning Ordinance be enacted.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Halfway that this Ordinance be approved and adopted, being read first in full and then by title this 8th Day of April 2021.

Ordinance 2021-04-09

This ordinance shall be in full force and effect 30 days after approval or beginning on May 9, 2021.

ADOPTED by the City Council of the City of Halfway this 8th day of April, 2021.

APPROVED: Nik Melchior

Nik Melchior

Honorable Mayor

ATTEST: Salli Hysell

Salli Hysell

City Recorder/Manager

DATE: 4/12/21