

ORDINANCE No. 3137*Repealed by 3353*

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO OUTDOOR BURNING.

Be it ordained by the City Council of the City of Kirkland as follows:

Section 1. Section 21.32.060 of the Kirkland Municipal Code is hereby amended to read as follows:

21.32.060 UFC Section 11.101(a) amended.  
Section 11.101(a) of the Uniform Fire Code is amended to read as follows:

"Section 11.101(a) Permit Required. No person, firm, or corporation shall kindle or maintain any open fire or authorize any such fire to be kindled or maintained without a permit or other proper authorization. During construction or demolition of buildings or structures, no waste material or rubbish shall be disposed of by burning on the premises or in the immediate vicinity. Outdoor burning is prohibited from May through September of each year. Land clearing burning is prohibited. Small contained fires for cooking are exempt from this subparagraph.

The fee for issuing each outdoor burning permit shall be [~~five (\$5.00)~~] zero (\$0) dollars. Each permit shall be valid for [~~three (3)~~] ten (10) consecutive days, inclusive of the date of issue.

Such permits shall be issued upon request, when the issuing officer deems it safe to do so. The permit shall designate the premises and the exact location thereon where the fire may be started and continued; the nature of the material to be burned; the time limit of the permit; and may contain any special requirements pertaining to the fire and the control thereof as the issuing officer or the Director of Fire Services deem necessary for safety.

The permittee shall comply with all the terms and conditions of the permit, and shall keep a responsible person, who shall be eighteen (18) years of age or older, in charge of the

fire at all times, who shall hold the fire under control and not permit it to spread to other property or structures, and shall thoroughly extinguish the fire when the authorized burning is completed. The possession of such a permit shall not relieve the permittee from civil liability for any damages from the fire or smoke for which he may be liable otherwise."


Section 2. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 13th day of December, 1988.

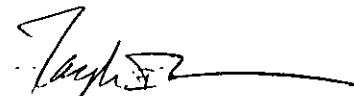
Signed in authentication thereof this 13th day of December, 1988.

  
MAYOR

ATTEST:

  
City Clerk

APPROVED AS TO FORM:

  
City Attorney

## INFORMATION BULLETIN

### OPEN BURNING RULES AND REGULATIONS

#### General Requirements

1. All fire permits must be requested from the Fire Department office nearest the burn location. Fire Department offices are located at:

Kirkland City Hall	123 Fifth Ave.	8:00-5:00 M-F
Fire Station 22	6602 108th Ave. NE	8:00-5:00 7 days
Fire Station 27	11210 NE 132nd St.	8:00-5:00 7 days

2. All rules and regulations of the Puget Sound Air Pollution Control Agency (PSAPCA) shall be met.
3. Land clearing burning shall be prohibited.
4. Fire permits shall be issued for a maximum of (10) days from the date of issuance, inclusive of the date of issue.
5. All permits shall be subject to revocation due to dangerous weather conditions, a valid complaint of danger, or a violation of these rules. Violation of these rules may result in a fine of up to \$100.00.
6. A permit does not release the permittee from liability for damage resulting from smoke or fire. Permittee shall not create smoke and/or odors that are offensive to others.
7. Valid permits shall be available at the site while burning is in progress.
8. Each permit shall be signed by the name listed on the permit as owner/agent in charge of the property.
9. Fire permits shall be issued between October 1 and April 30 only.
10. A fire break of a minimum of fifteen (15) feet, cleared to mineral soil, shall be maintained on all sides of material to be burned.
11. All materials to be burned shall be native to the site on which they are to be burned.
12. All materials shall be cut and piled.
13. Maximum dimensions of piles to be burned shall be four (4) feet in diameter and three (3) feet in height.
14. Sufficient personnel and equipment shall be maintained at the burn site to control the fire until it is out.
15. A means of extinguishment shall be readily available at the site.
16. No fires shall be allowed within fifty (50) feet of any structure including fences, unless approved by the Chief or his designee.
17. Burning shall be allowed only between 10 am and dark.
18. Deposition of particulate matter (fly ash) is unlawful if in sufficient quantity, character, or duration as to be injurious to human health, plant or animal life, property, or which unreasonably interferes with enjoyment of life and property.

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF KING COUNTY FIRE PROTECTION DISTRICT NO. 41  
ADOPTING REGULATIONS CONCERNING  
BURN PERMITS

WHEREAS, the Board of Commissioners desires to exercise its statutory authority to regulate burning through the issuance of burning permits, and

WHEREAS, the Board of Commissioners finds that it is in the interest of the public health and welfare to restrict the issuance of outdoor burning permits to October through April of each year and to prohibit land clearing burning, and

WHEREAS, it is reasonable to adopt regulations within the District which are consistent with the regulations of the City of Kirkland on this subject so that efficient administration of the regulations may be achieved.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of King County Fire Protection District No. 41 as follows:

Section 1. No person, firm, or corporation shall kindle or maintain any open fire or authorize any such fire to be kindled or maintained without a permit or other proper authorization. During construction or demolition of buildings or structures, no waste materials or rubbish shall be disposed of by burning on the premises or in the immediate vicinity. Outdoor burning is prohibited from May through September of each year. Land clearing burning is prohibited. Small contained fires for cooking are exempt from this section.

Section 2. The Director of Fire Services for the Kirkland Fire Department is authorized to issue burning permits on behalf of the District. There should be no fee for issuing outdoor burning permits. Each permit shall be valid for ten consecutive days, inclusive of the day of issue. The Director of Fire Services may delegate authority to issue permits to other officers and fire department personnel.

Section 3. Outdoor burning permits shall be issued upon request, when the issuing officer deems it safe to do so. The permit shall designate the premises in the exact location thereon where the fire may be started and continued; the nature of the material to be burned; the time limit of the permit; and may contain any special requirements pertaining to the fire and the control thereof as the issuing officer or the Director of Fire Services deem necessary for safety.

Section 4. The permittee shall comply with all terms and conditions of the permit, and shall keep a responsible person and shall be 18 years of age or older in charge of the fire at all times, who shall hold the fire under control and not permit it to spread to other property or structures, and shall thoroughly extinguish the fire when the authorized burning is completed. The possession of such permit shall not relieve the permittee from civil liability for any damages from the fire or smoke for which he may be liable otherwise.

Adopted at the regular meeting of November 14, 1988 continued to November 30, 1988.

City of...  
Fire Department  
Administration  
November 14, 1988

Richard J. Krugh

Nancy Ann Nelson

Sydney Stolt