

TOWN OF BEAUX ARTS VILLAGE, WASHINGTON

ORDINANCE NO. 102

AN ORDINANCE limiting outdoor burning within the Town of Beaux Arts Village, Washington.

WHEREAS, the preservation of the Town of Beaux Arts Village's environment and the prevention of fire hazards within the Town of Beaux Arts Village require the limitation of the time periods when outdoor burning allowed by RCW 70.94.740 through 70.94.780 and the regulations promulgated thereunder may take place; and

WHEREAS, the Town Council of the Town of Beaux Arts Village has assessed the environmental impact of this ordinance restricting outdoor burning in the Town and has found that the enactment and enforcement of and the issuance of permits under this ordinance would have no negative impact upon the environment of the Town of Beaux Arts Village or that of its neighboring municipalities; NOW, THEREFORE,

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BEAUX ARTS VILLAGE, WASHINGTON, as follows:

Section 1. Definitions. As used in this ordinance, the following terms shall have the following definitions:

(a) Fire permit means a permit for outdoor burning issued by the Bellevue Fire Prevention Bureau (hereinafter referred to as the Bellevue Fire Marshal);

(b) Residential burning means the burning of small outdoor fires consisting of leaves, clippings, prunings and other yard and gardening refuse burned on lands immediately adjacent and in close proximity to a human dwelling by the property owner or his designee;

(c) Unusual conditions means property damage caused by wind, rain, hail, snow or other natural phenomena.

Section 2. Conditions. There shall be no outdoor burning within the Town of Beaux Arts Village except residential burning which may be permitted only under the following conditions:

(a) A fire permit must be obtained prior to the commencement of any residential burning. Any fire permit so obtained may be cancelled by the Bellevue Fire Marshal upon his finding that this ordinance is not complied with or that the residential burning causes a hazard or a nuisance. Upon the cancellation of a fire permit, any fire started pursuant to that permit shall be extinguished immediately.

(b) Fire permits may be issued only during the months of October, November, April and May, or at such other times as the Town Council of the Town of Beaux Arts Village determines by resolution that residential burnings are necessary as a result of unusual conditions. If the Town Council determines that residential burnings are necessary as a result of unusual conditions, it shall, in the same resolution in which such a determination is made, set forth the specific time period during which residential burnings will be allowed, cause the Bellevue Fire Marshal to be notified of its determination, and cause a copy of its resolution to be posted in at least three public places.

(c) The following precautions shall be taken:

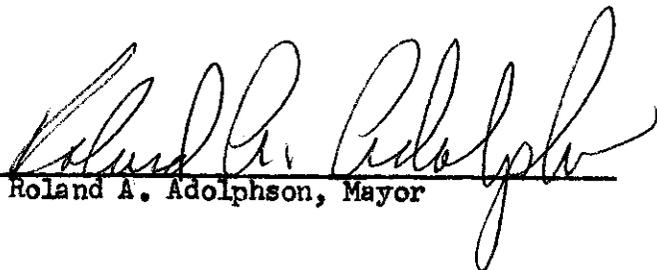
- (1) The fire shall be attended at all times.
- (2) Sufficient water to extinguish the fire shall be provided at all times.
- (3) The fire shall be in one pile no more than four (4) feet in diameter and three (3) feet in height.
- (4) Only one fire shall be burned at one time.
- (5) No fire shall be started earlier than 10:00 a.m. nor burned after sundown.
- (6) No fire shall be closer than fifty (50) feet to any structure.

Section 3. Cumulative Effect. Nothing in this Ordinance shall be construed to limit Ordinance No. 36 of the Town of Beaux

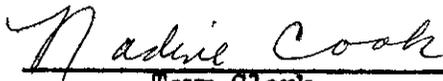
Arts Village, which prohibits the incineration of garbage within the limits of the Town of Beaux Arts Village, and all prohibitions contained herein shall be in addition to those contained in said Ordinance No. 36.

Section 4. Effective Date. This Ordinance shall take effect and be in full force five days after its passage, approval, and legal posting.

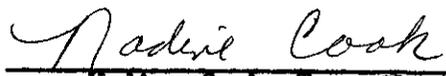
PASSED by the Town Council at a regular meeting thereof and APPROVED by the Mayor of the Town of Beaux Arts Village, Washington, this 1st day of April, 1975.

  
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Roland A. Adolphson, Mayor

ATTEST:

  
\_\_\_\_\_  
Nadine Cook  
Town Clerk

I hereby certify that copies of the above foregoing Ordinance were duly posted as required by law in three of the most public places in the Town of Beaux Arts Village, Washington, on the 24<sup>th</sup> day of April, 1975.

  
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Nadine Cook, Town Clerk  
Town of Beaux Arts Village

I, NADINE COOK, Clerk of the Town of Beaux Arts  
Village, Washington, hereby certify that the attached copy of  
Ordinance No. 102 is a true and correct copy of the original  
ordinance passed on the 1st day of April, 1975, as that ordinance  
appears on the Minute Book of the Town.

DATED this 14<sup>th</sup> day of April, 1975.

Nadine Cook  
NADINE COOK, Town Clerk