



BURN REGULATION WORKSHOP

HELD WITH JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS

MAY 6, 2024

PHIL CECERE -JEFFERSON COUNTY FIRE MARSHAL-BUILDING OFFICIAL

BRET BLACK- CHIEF EAST JEFFERSON FIRE RESCUE

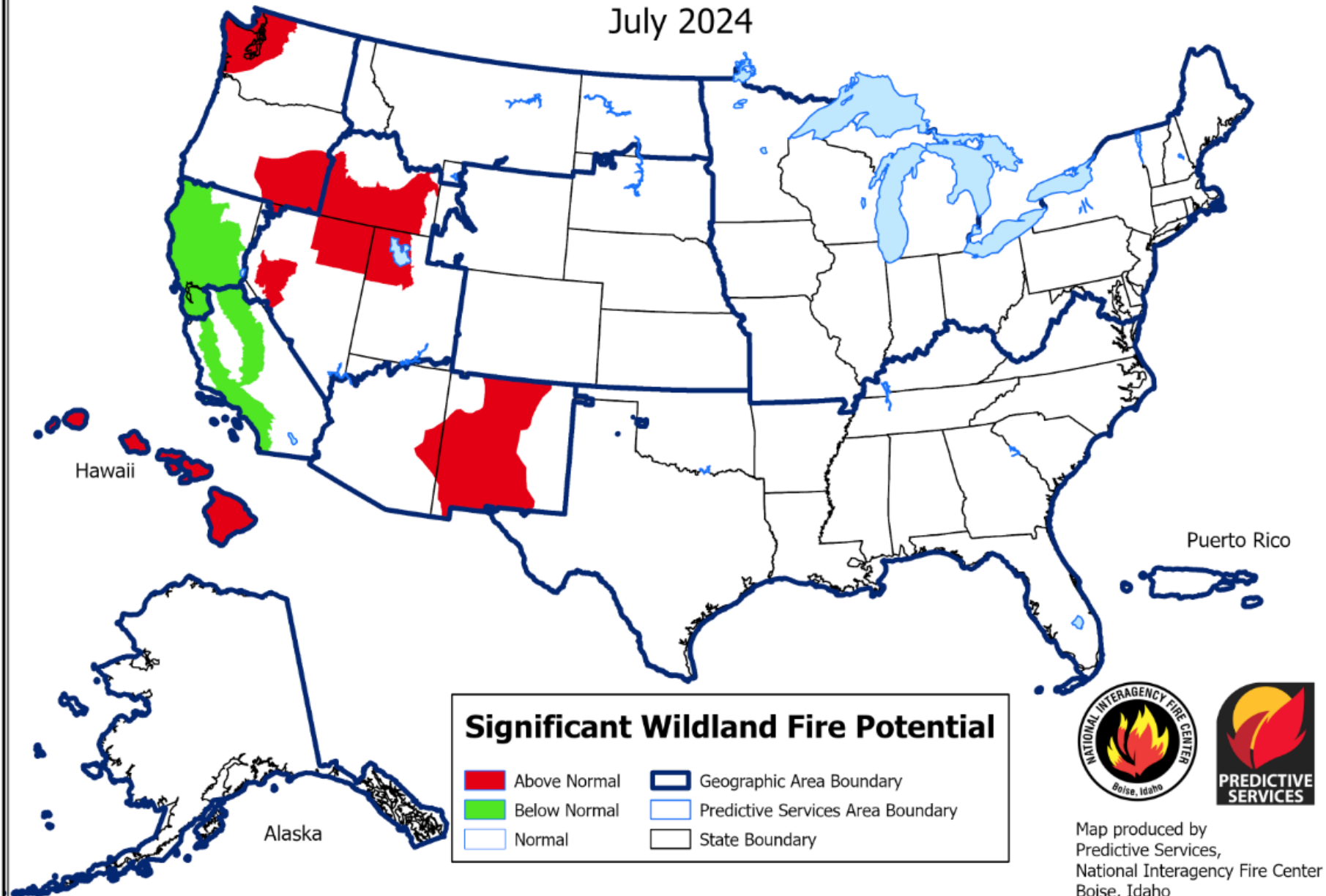
DON SVETICH – DEPUTY CHIEF QUILCENE FIRE RESCUE (RET)

PREVIOUS MADE EFFORTS HAS REQUIRED A HUGE LIFT
FROM OUR PARTNERS IN PROFESSIONAL FIRE
PREVENTION AND RESPONSE.

IT IS NOW NECESSARY TO BUILD ON THAT FOUNDATION
AND IMPROVE GAPS AND INCREASE PUBLIC SAFETY
AND EDUCATION

- WHO HAS THE AUTHORITY TO SET BURN RESTRICTION LEVELS?
- WHAT TO DO ABOUT RECURRING ANNUAL BURN RESTRICTION?
- SET AN ANNUAL BURN RESTRICTION SEASON?

Significant Wildland Fire Potential Outlook July 2024



Significant Wildland Fire Potential

- | | |
|--------------|-----------------------------------|
| Above Normal | Geographic Area Boundary |
| Below Normal | Predictive Services Area Boundary |
| Normal | State Boundary |



Map produced by
Predictive Services,
National Interagency Fire Center
Boise, Idaho
Issued May 1, 2024
Next issuance June 1, 2024

Above normal significant wildland fire potential indicates a greater than usual likelihood that significant wildland fires will occur.
Significant wildland fires should be expected at typical times and intervals during normal significant wildland fire potential conditions.
Significant wildland fires are still possible but less likely than usual during forecasted below normal periods.



BURN REGULATIONS FOR CLARITY OF PUBLIC UNDERSTANDING

THE NATIONAL FIRE DANGER RATING SYSTEM (NFDRS) IS A SYSTEM THAT
ALLOWS FIRE MANAGERS TO ESTIMATE TODAY'S OR TOMORROW'S FIRE DANGER
FOR A GIVEN AREA.

ADOPTION OF THIS TYPE OF “SMOKEY BEAR” TYPE MODEL IS WIDELY
RECOGNIZED AND EASILY UNDERSTOOD

Burn Restrictions are categorized in to 5 risk levels of increasing severity



Stage 1 Low risk level Burn restrictions categorized as **GREEN**

All lawful burning allowed. Olympic Region Clean Air Agency ORCCA to be observed.



Stage 2 Moderate risk level burn restrictions Categorized as **BLUE**

Restricted Outdoor Fires. No person shall build, ignite, or maintain any outdoor fire of any kind or character, or for any purpose whatsoever.

Exception: no permit will be required for outdoor fires on private residential premises or designated campsites where such fires may be built in a permanent barbecue, portable barbecue, outdoor fireplace, or grill. (Recreational burn)

THIS WOULD BE THE STAGE THAT AN ANNUAL BURN RESTRICTION WOULD OCCUR - MORE LATER IN THIS PRESENTATION

Stage 3 High Risk level burn restrictions Categorized as **YELLOW**

Recreational burning (campfires) restricted

Exception: State and Federal campgrounds – State and Federally protected public lands

Use of charcoal briquettes and open wood cooking fires is prohibited

Use of approved open flame devices only: List to be compiled and posted on county and fire district websites

This would be the level that fireworks would be restricted:

Limits on the manufacture, sale, transportation, discharge, storage or use of fireworks is prohibited during a declaration of high fire hazard. Except as permitted in this chapter, the discharge, manufacture, sale, storage, or transportation of fireworks is prohibited during a **declaration of high fire hazard**





Stage 4 Very High-Level Burn Restrictions Categorized as **ORANGE**

No outdoor fires and/or outdoor open flame devices, except as allowed by written permit or approval from the Fire Marshal. Permits are not required for use of the following:

- (1) commercially made listed/labeled propane grill devices located and used at a residence; and
- (2) stoves or fireplace fires completely contained within a residence.



Stage 5 Extreme Level Burn Restrictions Categorized as **RED**

No Outdoor Fire, Burning, or Discharge of Any kind or Type

Commonly referred to as a BAN

Public FAQs

Can we have a ceremonial fire?

Types of burning that require a permit. Except as otherwise stated, a permit is required for the following types of outdoor burning in all areas of the state under the jurisdiction of this chapter:

(h) Indian ceremonial fires (except on lands within the exterior boundaries of Indian reservations unless provided for by intergovernmental agreement); (RCW 70.94.651 (2))

What is a recreational fire (campfire)?

Recreational fires with a total fuel area that is greater than three feet in diameter and/or two feet in height (except in the nonurban areas of counties with an unincorporated population of less than fifty thousand; and (RCW 70.94.765)

What appliances can I use for cooking or lighting?

Approved open flame device list and burn restriction level set the correct use of devices.

This is a partial list, highlighting some repeat questions that have been generated by the public in the last year

Example of a List of approved open flame devices

Our list may differ

^ The Chelan County Code has restrictions on open-flame devices. What is an open-flame device?

An open-flame device can be anything that has a flame that is capable of igniting other materials. Approved open-flame devices are:

- Pressurized gas camp stoves, catalytic heaters and white gas camp stoves and lanterns
- Commercially made and labeled barbeque devices
- Stove or fireplace fires completely contained within a home or residence
- Propane or pressurized white gas warming devices with a shield and base
- An enclosed solid fuel fire that utilizes a wick to distribute the flame
- Listed gas campfire devices
- Commercial operators can obtain a permit from the county fire marshal or permission from the appropriate fire protection agency for non-labeled devices

Smoking materials, such as cigarettes, should always be properly disposed of in a metal or non-combustible container; never discard cigarettes or other smoking materials in vegetation or flower beds or leave them burning near combustible materials.

NEW CODE LANGUAGE

- NEW VIOLATION AND PENALTIES SECTION- RECOVERY OF COSTS INCURRED
- NEW ENFORCEMENT SECTION- SHERIFF OR SHERIFF DESIGNEE HAS THE DISCRETION TO ENFORCE THIS CHAPTER-POSSIBLE SHERIFF CAN DEPUTIZE FIRE MARSHAL STAFF SIMILAR TO CURRENT CODE ENFORCEMENT STAFF
- EXAMPLE OF NEW CODE LANGUAGE:

AUTHORITY OF COUNTY FIRE MARSHAL AND LOCAL FIRE OFFICIALS TO ORDER EXTINGUISHMENT OF HAZARDOUS OPEN BURNING. CONSISTENT WITH IFC SECTION 307.3, WHERE OPEN BURNING CREATES OR ADDS A HAZARDOUS SITUATION, THE COUNTY FIRE MARSHAL OR A LOCAL FIRE OFFICIAL MAY ORDER THE EXTINGUISHMENT OF THE OPEN BURNING OPERATION

5.10.010 DESIGNATED.

ALL THAT PORTION OF JEFFERSON COUNTY LOCATED OUTSIDE OF THE CORPORATE LIMITS OF ANY CITY OR TOWN IS HEREBY DESIGNATED AS FIRE ZONE 3. [ORD. 2-74]

NEEDS REPEALED AS IT IS AN ANTIQUATED UFC REFERENCE FROM 1974

COUNTY IS NOW DIVIDED INTO FIRE DISTRICTS AND WOULD NOT REQUIRE A REPLACEMENT ORDINANCE

Proposal

Beginning July 1 – September 30 of each year a County Wide Restriction of all Residential Burning and Land Clearing burning fires. The county-wide ban outdoor burn ban may be set in place prior to July 1 and extended beyond September 30.

Goal to be repetitive and NOT require BOCC input for a resolution annually.

Define who has authority to change the fire danger levels and the corresponding burn restriction level.

This could occur 3 ways:

1. Annual BOCC Resolution (current)
2. Burn Board (possibility)
3. Based upon consultation between the Fire Marshal, County Fire Chiefs, and in consideration of the current atmospheric and field conditions (current option for extension)

BOCC ANNUAL RESOLUTION

PRO

- KEEPS COMMISSIONERS CURRENT WITH ISSUES
- INFORMS PUBLIC WITH BOCC MEETINGS

CON

- REQUIRES BOCC AGENDA ITEM
- TAKES TIME AS MEETINGS ARE ONLY WEEKLY AND CONDITIONS CHANGE QUICKLY

CREATE A BURN BOARD

PRO

- PROVIDES THE MOST OPPORTUNITY FOR PUBLIC INTERACTION
- CAN ASSEMBLE MORE QUICKLY THAN BoCC

CON

- PROVIDES THE MOST OPPORTUNITY FOR PUBLIC INTERACTION
- REQUIRED TO MEET PUBLIC MEETING ACT
- REQUIRES STAFF TIME AND BANDWIDTH
- REQUIRES THE BoCC TO APPOINT MEMBERS
- STILL NOT THE MOST EXPEDIENT OPTION

FIRE MARSHAL DECLARATION

PRO

- CAN CONSULT WITH FIRE CHIEFS AND FIRE SERVICE PARTNERS
- QUICKEST DECISION WITH CHANGING CONDITIONS
- TAKES POLITICS OUT OF A DECISION BASED ON FACTS AND SCIENCE

CON

- LEAST AMOUNT OF PUBLIC INTERACTION
- REQUIRES EXERCISING THE MOST AMOUNT OF DISCRETION

FIRE WORKS
OUR CURRENT CODE WAS
IMPLEMENTED FOR THE FIRST TIME LAST
SUMMER (2023)

- KEEP CURRENT JCC 8.75 EFFECTIVE FOR INDEPENDENCE DAY 2024
- IMPLEMENT NEW BURN REGS IN NEW JCC 8.72 COULD BE A POSSIBLE PLACEMENT
- NEW LANGUAGE ADDRESSING FIREWORKS WOULD BE EFFECTIVE BEFORE INDEPENDENCE DAY 2025
- APPLIES TO CONSUMER GRADE WASHINGTON STATE APPROVED LEGAL FIREWORKS
- NOT COMMERCIAL GRADE FIRE WORKS AND NOT PURCHASED FROM TRIBAL RESERVATIONS

ALREADY HAVE AN ENFORCEMENT CLAUSE TO FIREWORKS OR TO ALL BURN REGULATIONS WITH A LEANING TOWARD EDUCATION PRIOR TO ENFORCEMENT

8.75.080 ENFORCEMENT.

(1) PARTICULARLY WITH THE DISCHARGE OF CONSUMER FIREWORKS IN VIOLATION OF THIS CHAPTER, PUBLIC AWARENESS AND VOLUNTARY COMPLIANCE EFFORTS SHOULD BE USED PRIOR TO ENFORCEMENT UNDER THIS CHAPTER.

8.75.035 PUBLICATION OF DECLARATION OF HIGH FIRE HAZARD.

THE COUNTY FIRE MARSHAL AND EACH LOCAL FIRE OFFICIAL SHALL PUBLISH THE DECLARATION OF HIGH FIRE HAZARD IN LOCAL MEDIA OUTLETS FOR PUBLIC REVIEW. [ORD. 3-22 § 1 (APP. A)]

PUBLICATION OF ANY CHANGE IN FIRE RESTRICTION LEVEL SHALL BE PUBLISHED IN LOCAL MEDIA OUTLETS FOR REVIEW

- CURRENTLY, WE HAVE A PROVISION FOR A PUBLIC DISPLAY FIREWORKS PERMIT JEFFERSON COUNTY FIRE MARSHAL (JCFM) HAS NOT PREVIOUSLY BEEN CONTACTED FOR A PERMIT.

NOTE: SECTION 3 REQUIRES A STATE LICENSE FROM WASHINGTON STATE FIRE MARSHAL PER RCW

8.75.050 Public display of fireworks in the county.

(1) Public display of fireworks in unincorporated Jefferson County is prohibited, unless an application has been approved for any permit required under JCC 8.20.030 (entertainment, amusement or assemblies permit), JCC 18.20.380 (temporary outdoor use permit) or JCC 18.20.390 (temporary festival conditional use), after a consultation with local fire officials consistent with RCW 70.77.260 prior to approval.

(2) A public display of fireworks shall be of such character, and so located, discharged or fired in a manner that is not hazardous to property or injurious to any person, as determined by either the fire marshal or a local fire official.

(3) Every operator of a public display of fireworks shall first obtain a state license pursuant to RCW 70.77.355. [Ord. 3-22 § 1 (App. A)]

TOPICS TO DISCUSS

- FIREWORK SAFE HAVEN(S) WHO, HOW, WHAT LIABILITY, WHAT FIRE DISTRICT?
LOGISTICS, STAFFING, EQUIPMENT?
 - FIREWORK DISCHARGE DATE LIMITS BEYOND STATE MINIMUMS
CURRENTLY JUNE 28 -JULY 5

Questions

