Burning

AN ORDINANCE OF THE CITY OF *Clark Fork* RELATING TO OPEN BURNING BY
DECLARING PURPOSE, PROVIDING DEFINITIONS, PROVIDING RESTRICTIONS AND
EXCEPTIONS, PROVIDING REQUIREMENTS FOR BURNING, PROVIDING THAT NON-
COMPLIANCE SHALL BE DEEMED A MISDEMEANOR, PROVIDING FOR SAFETY MEASURES,
LIMITING EMISSION OF AIR CONTAMINANTS, AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF *Clark Fork*
IDAHO:

Section 1. <u>Purpose</u> The purpose and intent of this ordinance is to
eliminate all forms of open burning except those for which there is no
means of producing a similar public benefit, or such as may be permitted
herein.

Section 2. <u>Definition</u> Open burning means the outdoor burning of
materials where the products of combustion are not directed through a
duct, passage, smokestack or chimney.

Section 3. <u>General Restrictions</u> Except as herein otherwise provided,
no person shall allow, suffer, cause or permit the open burning of
materials which emit toxic contaminants, large volumes of smoke, particulates
or odors.

Section 4. Allowable Burning

a. Fires used for the preparation of food, campfires and fires for recreational purposes, under control of a responsible person.

b. Fires used for control or alleviation of fire hazard or for weed control when no alternate control method exists.

c. Fires used in the training of organized fire-fighting personnel.

d. Properly operated industrial flares for combustion of flammable gases.

e. Readily combustible rubbish produced by operation of a domestic household may be burned on the property from which the rubbish was generated, if no collection and disposal service is available and such is approved by the mayor and council. This shall include tree leaves and gardening waste. Rubbish is defined as non-putrescible solid waste except abandoned vehicles and car bodies or car body parts, industrial solid waste and agricultural solid waste.

f. Open burning of junked motor vehicles when permitted by the Council shall be under the following additional conditions.

   1. No burning will be allowed on *(Saturday or Sunday.)

   2. Burning hours shall be *(between 10:00 a.m. - 4:00 p.m.)

   3. Number of units to be burned at any one location at one burn shall be limited to *(100) unless otherwise approved by the city council.

   4. Tires and floormats shall be removed prior to burning.

   5. Every reasonable effort shall be made on the part of the salvage operator to prepare the units in such a manner that rapid and efficient combustion will occur.

*Optional with Mayor and Council..

Any burning of motor vehicles deemed necessary by the council shall be conducted at one or several centralized locations. Such locations shall be approved by the Idaho Air Pollution Control Section and the Idaho Solid Waste Control Section of the State Department of Health.

g. Burning of plant life grown on the premises in the course of agricultural, forestry or land clearing operation.

h. During the months of April and October, the City Council after consultation with the Idaho Air Pollution Control Section of the State Department of Health may establish "clean-up weeks" during which property owners will be allowed without special permit, to burn leaves, shrubbery, trimmings, grass and such other materials at such times and in such manner as may be designated in the public proclamation.

Section 5. Requirement for Burning

a. Permit Required. No person shall conduct burning within the provision of Section 4 on or in any public street, alley, road or other public ground without a permit or other proper authorization.

b. Attendance of Open Fires. All open burning shall be constantly attended by a competent person until such fire is extinguished. This person shall have a garden hose connected to the water supply or other fire extinguishing equipment readily available for use.

c. Chief may Prohibit. The chief of the Fire Department may prohibit any or all open burning when atmospheric conditions as published by the weather bureau or the environmental services to burning or when local circumstances make such fires hazardous.

Section 6. <u>Visible Emissions</u> No person shall allow the emission
of any air contaminant for a period or periods aggregating more than three
(3) minutes in any one hour which is:

a. Darker in shade than that designated No. 2 (40% density) on the
Ringelmann Chart as published by the United States Bureau of Mines; OR

b. Of such opacity as to obscure an observer's view to the same
degree as an emission described in a. above.

Testing shall be done in accordance with the Procedures Manual for
Sampling and Analysis of Air Pollutants, published by the State Air Pollu-
tion Control Commission.

The visible emissions regulation applicable to equipment installed
after the effective date of this ordinance shall be as above, except that
the criteria for determining compliance shall be Ringelmann No. 1 or equiv-
alent opacity.

The density or opacity of an air contaminant shall be measured at the
point of its emission if observable, and if not shall be measured at an
observable point on the plume nearest the point of emission.

Section 7. Any person violating any of the provisions of this ordinance
or willfully refusing to comply with any proper requirements of the designated
officer shall be deemed guilty of a misdemeanor. Each day a violation of the
provisions of this ordinance continues shall constitute a separate offense.

Section 8. Nothing in this ordinance shall be construed as repealing
or amending in any way any safety provisions of the fire prevention code
heretofore adopted by the city. All of the safety requirements therein
prescribed for outdoor burning, bonfires or rubbish fires, shall be required
of all persons holding permits under the provisions of this ordinance.

Section 9. This ordinance shall take effect and be in force from and after its passage, approval and publication.

Passed by the Council ___11 December_____ 19 70

Approved by the Mayor ___11 December_____ 19 70

(Seal)

Attest:

_Emma Parker_____
(Signed)

Mayor of _____

_Viola P. Moore_____
City Clerk