

## **ORDINANCE, O-14-02**

### **AN ORDINANCE AMENDING TITLE 4, CHAPTER 2, SECTION 2, BURN PERMIT REQUIREMENTS OF THE GARLAND CITY CODE**

**WHEREAS**, the Garland City Fire Department has recommended that the burn permit requirements of the city be amended to comply with state law, and

**WHEREAS**, the Garland City Council deems it to be in the best interest of the citizens of Garland for their health, safety and welfare, and

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of Garland, Utah, as follows:

#### **CHAPTER 4**

#### **BURN PERMIT REQUIREMENTS**

##### **4-2-2: BURN PERMIT REQUIRED:**

All open burning within the city requires the open burn permit application to be completed. The application can be found at <http://www.garlandfd.com/burnpermit>. For residential open burns there will be a \$10.00 fee per burn. Agricultural open burns inside the city limits, a flat one-time \$25.00 fee per year to burn is required.

Burn permits may only be issued between March 30 and May 30 and between September 15 and October 30. No burning on Sundays or Mondays.

The clearing index on the day of the burn must be greater than 500 feet and will be verified by the fire department.

- A. After receiving the application request and prior to issuing the permit, a Garland Fire Officer or designee must inspect the burn site and the material(s) to be burned. This is to ensure adequate safety precautions have been met to maintain control of the fire at all times and no unauthorized material(s) will be burned.
- B. If conditions change during a burn which may cause the fire to become out of control or pose unsafe condition, the permittee must extinguish the fire immediately. If the burn becomes out of control in any way the Garland Fire Department must be notified via 911 immediately. Smoke or embers from a fire cannot become a nuisance to neighbors. If such a nuisance arises, the fire will be extinguished.
- C. The permittee shall be responsible for any and all damages caused by the fire or, as a result of the fire including smoke or heat damage.
- D. All fires must be out by dark.
- E. All fires must be monitored by a responsible adult at all times. A reliable, constant water source must be available at all times for extinguishment. Any fire must be extinguished

before the adult in charge leaves the area.

- F. Burn permits are only valid for the date they are issued, and the address they are issued.
- G. Agricultural burning of fields must require a 50 foot fire break between any structure and the area to be burned.
- H. Agricultural areas for purpose of open burning are areas greater than one acre and the land must be used to raise crops or livestock. This will be confirmed by the fire department upon the pre-burn inspection.
- I. Only yard clippings, bushes, pruning's from trees incident to property and residential cleanup activities may be burned. No trash, rubbish, tires, oils, plastic, wire sheathing, construction waste or other hazardous materials are not to be burned.
- J. Recreational fires are allowed without a permit. Recreational fires must be kept small, no more than 3 foot flame lengths. Fires must be contained to a portable, commercial type fire pit or an in ground fire pit. You must have a 5 foot barrier of no vegetation. A 5 foot barrier must be maintained from adjacent property lines. Burn at your own risk. If responsible party is found to be negligent they could be held liable for all cost to extinguish any fires caused.
- K. Burning outside a burn window, burning without a valid permit and burning unauthorized materials inside city limits will be considered an illegal burn and the fire department will extinguish the fire.

The provisions of this ordinance shall take effect upon passage, signature of the mayor and after being posted or published as required by law.

**PASSED and ADOPTED this 26<sup>th</sup> day of February, 2014**

By: \_\_\_\_\_  
**Scott Coleman, Mayor**

[SEAL]

**VOTING:**

|                         |                |                |
|-------------------------|----------------|----------------|
| <b>Kendall Kowallis</b> | <b>Yea</b> ___ | <b>Nay</b> ___ |
| <b>Kirt McKee</b>       | <b>Yea</b> ___ | <b>Nay</b> ___ |
| <b>Todd Miller</b>      | <b>Yea</b> ___ | <b>Nay</b> ___ |
| <b>Kenny Smoot</b>      | <b>Yea</b> ___ | <b>Nay</b> ___ |
| <b>JR Thompson</b>      | <b>Yea</b> ___ | <b>Nay</b> ___ |

**ATTEST:**

\_\_\_\_\_  
**Sharlet Anderson, Recorder**