CITY OF MITCHELL

2025 ANNUAL BURN PERMIT FOR BARREL OR SMALL YARD DEBRIS

ALL BURNS MUST COMPLY WITH CITY ORDINANCE NO. 133 "Regulations for Outdoor Burning in the City of Mitchell"

APPLICANT INFORMATION:

APPLICANT: _____ PHONE: _____ ALTERNATE PHONE: _____

MAILING ADDRESS: _____ CITY: _____ ZIP: _____

LEGAL OWNER **(if not applicant)**: _____

MAILING ADDRESS: _____ CITY: _____ ZIP: _____

PHONE: _____ ALTERNATE PHONE: _____

BURN SITE PROPERTY ADDRESS: _____

_____

FIRE SUPPRESSION EQUIPMENT THAT MUST BE PRESENT AT TIME OF BURN:
SHOVEL
CHARGED WATER HOSE OF SUFFICIENT LENGTH TO REACH BURN

ALL BURN SITES ARE SUBJECT TO INSPECTION PRIOR TO PERMIT BEING ISSUED.

IF YOUR FIRE SPREADS BEYOND YOUR CONTROL, IT IS YOUR **RESPONSIBILITY** AND **LEGAL OBLIGATION TO CALL 911.**

PERMIT IS NOT VALID WITHOUT APPLICANT AND ISSUING AGENT SIGNATURES

GENERAL RULES TO FOLLOW AND SIGNED STATEMENT OF UNDERSTANDING

- ✓ You are responsible for any fire, smoke or resulting damage as a direct result of your burn
- ✓ Never start a burn if you cannot stay with it at all times
- ✓ All burns must be attended and extinguished prior to leaving the site
- ✓ Any open field or slash pile must be extinguished prior to leaving the site and adhere to hours on fire plan
- ✓ Always have a fully charged water house and firefighting implements within reach
- ✓ All backyard burning must take place between 7:30am and two hours before sunset

A PERMIT DOES NOT GIVE YOU PERMISSION IF THERE IS A **NO-BURN CONDITION POSTED** –
YOU **MUST CALL THE FIRE CHIEF AT (541) 306-1878** ***PRIOR*** TO STARTING YOUR BURN

YOU ARE LEGALLY OBILGATED TO CONTROL YOUR BURN **AND** TO NOTIFY 9-1-1 IF YOUR BURN GETS OUT OF CONTROL. FAILURE TO DO SO MAY RESULT IN LEGAL ACTION AGAINST YOU BY ANY PARTY THAT SUSTAINS A LOSS EITHER TO THEIR PERSON OR PROPERTY.

By signing below, I certify that I have read and understand the terms of this permit. Additionally, I acknowledge that any departure from the terms of this permit may be cause for criminal or civil action. I also acknowledge that I have received a copy of Ordinance No. 133 – An Ordinance Adopting Regulations for Outdoor Burning in the City of Mitchell.

SIGNATURE OF APPLICANT: _____ **DATE:** _____

PLEASE SUBMIT COMPLETED APPLICATION TO:

CITY OF MITCHELL
PO BOX 97
MITCHELL OR 97750

OR IN PERSON AT:

202 HIGH STREET
MITCHELL OR 97750

VALID DATES: 01/01/2025–12/31/2025
DATE ISSUED: _____ ISSUED BY: _____ TITLE: _____

ORDINANCE NO. 133

AN ORDINANCE ADOPTING REGULATIONS FOR OUTDOOR BURNING IN THE CITY OF MITCHELL

Whereas, the Mitchell City Council believes that regulations are required to protect the community from fire hazards caused by unregulated burn barrel burning and all other open burning;

Whereas, the Mitchell City Council believes that air quality is a critical aspect of a healthy community;

Whereas, the Mitchell City Council believes that engaging in the implementation of solutions to address regarding fire hazards and air quality is an important and appropriate role for local government; and

Whereas, as it is necessary for the health, safety, welfare, comfort, and convenience of the people of the City of Mitchell, this ordinance should take immediate effect.

NOW, THEREFORE, THE CITY OF MITCHELL ORDAINS as follows:

1. The Regulations set forth on Exhibit A attached hereto and incorporated herein, are hereby adopted and made part of the City of Mitchell Code.

2. An emergency is hereby declared.

Passed by the Mitchell City Council on this 15th day of October, 2019.

P. Farrell
Patrick, Farrell, Mayor

Kaylene Erb
Kaylene Erb, Council Position #1

Patty Verbovanec
Patty Verbovanec, Council Position #2

Glenn Raber
Glenn Raber, Council Position #3

Anthony K Reeves
Anthony Reeves, Council Position #4

Absent
Ron Verbovanec, Council Position #5

Vacant
Vacant, Council Position #6

ATTEST:

Shane Grandlund
Shane Grandlund, City Clerk

EXHIBIT "A"
CITY OF MITCHELL
OUTDOOR BURNING REGULATIONS

A. Definitions. As used in these Regulations, the following definitions shall apply:

1. *City* means the City of Mitchell.

2. *Completely extinguished* means that there shall not be any smoke coming from the burn barrel or burn pile and the burn barrel or burn pile shall contain no smoldering material, nor ashes or embers.

3. *Fire Chief* means the City of Mitchell Volunteer Fire Department Chief.

4. *Fire season* means that part of the year that the City of Mitchell Volunteer Fire Department Chief designates, based upon weather, the amount of fuel, and moisture content of the fuel as to when the likelihood of fire is greatly increased. Unless stated otherwise, fire season runs from the first day of May to the last day of November of each year.

5. *No Burn Day* means a day designated by the City of Mitchell Volunteer Fire Department, County of Wheeler, or State of Oregon, in which certain outdoor burning is inappropriate and/or unsafe.

6. *Open Pile, open burn pile, or burn pile* shall mean an open ground level fire with a fuel area larger than a recreational fire.

7. *Outdoor burning* means burning material outdoors in a burn barrel, an open burn pile, or a recreational fire.

8. *Recreational fire* means an open ground level fire in which the total fuel area shall be three feet or less in diameter and two feet or less in height.

9. *Adequate Fire Suppression Equipment* means shovel and charged hose of sufficient length to reach burn pile, barrel, or recreational fire.

10. *Construction Waste* means waste material resulting from or produced by a building or construction project. This could include wood, lumber, paper, crating and packing materials.

11. *Demolition Waste* means waste material resulting from or produced by the complete or partial destruction or tearing down of any man-made structure, or the clearing of any site for land improvement or cleanup. Land clearing waste could include removal of trees, brush, logs, stumps, debris or man-made structures for the purpose of site clean-up or site preparation.

12. *Domestic Waste* means household waste material such as paper, cardboard, clothing, yard debris (wood, needle or leaf materials from trees, shrubs or plants) or other

material generated in or around a dwelling of four-or-fewer family living units, or on the property immediately adjacent to the dwelling.

13. *Yard Debris* means waste material including wood, needle or leaf materials from trees, shrubs or plants from the real property immediately adjacent to a dwelling of not more than four family living units.

B. Burn Permits. Annual permits to burn are required before using burn barrels or open burn piles. Burn permits shall be effective January 1 through December 31 of the same year. The annual fee for each Permit shall be established by the Fire Chief. The permit must be shown to a City or City of Mitchell Volunteer Fire Department representative upon request. The permit will be issued to the applicant for burning items in a burn barrel or in an open pile at a specific address and such permit is not transferrable to any other address.

C. Open Burning Requirements. Persons performing outdoor burning must meet all the following requirements:

1. There shall be no burning upon restriction by the Fire Chief due to fire/safety conditions.

2. There shall be a person 14 years of age or over who is equipped with adequate fire suppression equipment physically present at the burn pile or recreational fire at all times burning is done.

3. The burn barrel, burn pile, or recreational fire shall be at least 25 feet away from any combustibles, vegetation, structures, or property boundary line and a three-foot fuel break exposing mineral soil must be maintained around the burn barrel, open pile, or recreational fire.

4. Burning shall be conducted in a manner and in conditions that prevent any burning materials, sparks, or embers going onto any combustible material.

D. Burn Barrels. Persons burning in a burn barrel must meet all the following requirements in addition to the requirements under section C above:

1. The burn barrel must be covered with a maximum one-quarter inch screen in good condition.

2. There shall be no holes in the burn barrel except for air holes not less than one-quarter inch in diameter. There shall be no holes in the burn barrel caused by rust rot.

3. Only dry paper, dry wood or dry leaves shall be burned in the burn barrel.

4. Fire Chief or his or her representative shall be permitted to review and determine if property upon which a burn barrel is located has adequate area for compliance with the 25-foot setback prior to the issuance of a permit for a burn barrel.

5. All burning in burn barrels may be done daily except for holidays set out under Oregon law and No Burn days. Burning may be done beginning at 9:00 a.m. and be completely extinguished two hours before sunset except during a Fire Season when burning shall begin no earlier than 9:00 a.m. and be completely extinguished at noon.

6. There must be a valid burn permit issued for the address for which the burn barrel is located.

7. Prior to burning, the burn permit holder shall check the City of Mitchell Volunteer Fire Department bulletin board located at 202 High Street or contact the Fire Chief to verify that burning is allowed.

E. Open Piles. Persons burning an open pile must meet the following requirements in addition to those requirements in section C above:

1. Open burn piles must only contain dry leaves, dry wood, or dry paper.

2. Burn piles may not exceed six feet in diameter and three feet in height.

3. Fire Chief or his or her representative shall be permitted to review and determine if property upon which a burn pile is located has adequate area for compliance with the 25-foot setback prior to the issuance of a permit for a burn pile.

4. All burning in open piles may be done daily except for holidays set out under Oregon laws, No Burn days, and during the Fire Season. Burning may be done beginning at 9:00 a.m. and be completely extinguished two hours before sunset.

5. There must be a valid burn permit issued for the address for which the burn pile is located.

6. Prior to burning, the burn permit holder shall check the City of Mitchell Volunteer Fire Department bulletin board located at 202 High Street or contact the Fire Chief to verify that burning is allowed.

F. Section E shall not apply to fire in which the City of Mitchell Volunteer Fire Department has agreed to participate.

G. All commercial, construction, and demolition open burning is prohibited within the city limits.

H. Recreational Fire. Persons burning a recreational fire must meet the following requirements in addition to those requirements in section C above:

1. No permit is required, but Fire Chief or his or her representative are permitted to review and determine if the property upon with the recreational fire is located complies with the 25-foot setback.

2. There shall be no recreational fires during the fire season on days designated as No Burn Days.

3. A recreational fire must only contain dry leaves, dry wood, or dry paper.

I. There shall be no burning upon restriction by the Fire Chief due to fire/safety conditions. The Fire Chief is empowered to implement City Outdoor Burning Regulations and Fire Chief and his or her designee and local law enforcement are empowered to enforce City Outdoor Burning Regulations.

J. Penalties. The maximum penalty for a person responsible for each violation of these Regulations shall be $500.00. Upon first conviction the fine shall be not less than $50.00. Upon a second conviction the fine shall be not less than $250.00, and on the third and subsequent convictions the fine shall be $500.00 and there shall be no further burn permits issued for burning to any person who has been convicted of violating these regulations three or more times.