

City of Willoughby Hills

ORDINANCE NO. 2008-75

AN ORDINANCE AMENDING PART FIFTEEN – FIRE PREVENTION CODE, CHAPTER 1503 - OUTDOOR FIRES, SECTION 1503.01 – GENERAL PROHIBITION AND SECTION 1503.02 – FIRE CHIEF MAY DISALLOW EXCEPTIONS OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS AND REPEALING CONFLICTING LEGISLATION.

WHEREAS, on September 25, 2008, the Council of the City of Willoughby Hills adopted Ordinance No. 2008-67 thereby amending Chapter 1503 – Outdoor Fires; and

WHEREAS, the Council further reviewed **Section 1503.1 – General Prohibition** of the Fire Prevention Code in order to include additional language that specifically prohibits the banned items per Ohio Law and makes it illegal to burn during times of health related air emergencies and alerts.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE COUNTY, STATE OF OHIO THAT:

SECTION 1. The existing Chapter **1503 – Outdoor Fires, Section 1503.01 – General Prohibition** of the Codified Ordinances of the City of Willoughby Hills be, and the same hereby is, amended to read in its entirety and provided as follows:

“1503.01 GENERAL PROHIBITION.

A. The following open fires in accordance with the Ohio EPA are *allowed* in the City of Willoughby Hills:

TYPE OF FIRE	RESTRICTIONS
Recreation, Barbeques, Campfires, Cookouts	Wood stack no larger than 2 ft. high x 3 ft. wide. Use clean, seasoned firewood or equivalent.
Agricultural Waste <i>A permit shall be obtained from the Office of the Fire Chief, <u>prior to notification</u> of the Lake County Health District (LCHD).</i>	Agricultural wastes and plant matter such as tree trimmings, stumps, brush, weeds, leaves, grass, shrubbery and material from crop or livestock production. This includes fence posts and scrap lumber, but not buildings. <i>Fire must be more than 1,000 feet from neighbor’s inhabited building.</i> <i>Must notify Lake County Health District (LCHD) in advance.</i>
LAND-CLEARING WASTE	NOT PERMITTED IN CITY LIMITS
RESIDENTIAL WASTE	NOT PERMITTED IN CITY LIMITS
Ceremonial Fires, Bon Fires, Large Cooking Fires, (i.e. pig roast, etc) <i>A permit shall be obtained from the Office of the Fire Chief, <u>prior to notification</u> of the Lake County Health District (LCHD).</i>	Wood stack no larger than 5 ft. high x 5 ft. wide. Use clean, seasoned firewood or equivalent. <i>Must notify Lake County Health District (LCHD) in advance.</i>

<p>Occupational Fires: Welding Torches, Heating Tar, Heating for Warmth of Outdoor Workers and Strikers</p>	<p>For “occupational fires” use clean seasoned firewood contained in a 55-gallon drum.</p>
<p>Firefighter Training, Explosive Material Disposal</p> <p><i>A permit shall be obtained from the Office of the Fire Chief, <u>prior to notification</u> of the Lake County Health District (LCHD).</i></p>	<p><i>With prior written permission from Lake County Health District (LCHD). This may take two (2) weeks.</i></p>
<p>Horticultural, Silvicultural, Range or Wildlife Management Practices</p> <p><i>A permit shall be obtained from the Office of the Fire Chief, <u>prior to notification</u> of the Lake County Health District (LCHD).</i></p>	<p><i>With prior written permission from Lake County Health District (LCHD). This may take two (2) weeks.</i></p>
<p>Disease or Pest Control</p> <p><i>A permit shall be obtained from the Office of the Fire Chief, <u>prior to notification</u> of the Lake County Health District (LCHD).</i></p>	<p>Local Health Department, the Ohio Department of Agriculture or the U.S. Department of Agriculture verifies to Ohio EPA that open burning is the only appropriate control method <i>and must notify Lake County Health District (LCHD) in advance.</i></p>
<p>“<i>Silviculture</i>” is the art and science of controlling the establishment, growth, composition, health, and quality of forests to meet diverse needs and values of the many landowners, societies and cultures over the parts of the globe that are covered by dry land.</p>	
<p><u>NOTE:</u> Section 1503.02 allows the Fire Department to order any fire to be extinguished.</p>	

B. The following materials may not be burned in the Municipality at any time. These are:

1. Materials containing rubber, grease, and asphalt or made from petroleum, such as tires, cars and auto parts, plastics, or plastic-coated wire;
2. Garbage – any wastes created in the process of handling, preparing, cooking, or consumption of food

C. Open burning is not allowed during times when air pollution warnings, alerts or emergencies are in effect.

D. Fires may not obscure visibility for roadways or airfields.

SECTION 3. All Ordinances or parts thereof in conflict with the provisions of this Ordinance be, and they hereby are, repealed.

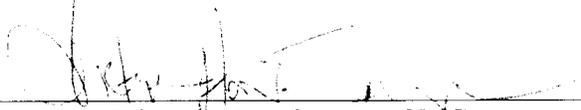
SECTION 4. The actions of this Council concerning and relating to the passage of this legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

SECTION 5. This Ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

PASSED: October 9, 2008

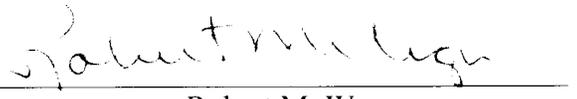
Submitted to the Mayor for his approval on this 9 day of October, 2008

ATTEST:


Victoria Ann Savage, CMC
Clerk of Council


Kevin D. Malecek
President of Council

Approved by the Mayor
October 9, 2008


Robert M. Weger
Mayor

ORDINANCE NO. 2008-75

I, Victoria Ann Savage, Clerk of Council for the City of Willoughby Hills, Lake County, Ohio do hereby certify that the foregoing **Ordinance No. 2008-75** was duly and regularly passed by the Council of the City of Willoughby Hills, Lake County, Ohio at a meeting held on **October 9, 2008**.

That this legislation was posted according to law and duly advertised pursuant to Ordinance No.2003-19 in the **Lake County News-Herald** on **October 15, 2008**. Effective date of Legislation: **November 8, 2008**.

Victoria Ann Savage, CMC
Clerk of Council