

**BEFORE THE BOARD OF DIRECTORS OF THE TRUCKEE  
FIRE PROTECTION DISTRICT OF NEVADA COUNTY**

**ORDINANCE 04-2019**

AN ORDINANCE SETTING FORTH THE REQUIREMENTS AND/OR RESTRICTIONS  
PERTAINING TO BANNING OPEN BURNING, RECREATIONAL FIRES AND  
CHARCOAL BBQ'S DURING HIGH FIRE CONDITIONS AND PROVIDING FOR  
ENFORCEMENT OPTIONS AND PENALTIES

WHEREAS, Truckee Fire Protection District is a Fire Protection District organized and existing pursuant to Health and Safety Code Sections 13800 ("TFPD") and following., and

WHEREAS, In the Truckee Fire Protection District, wildfire threatens people, forests, homes, structures and recreation and the area is identified by Cal Fire as a Very High Fire Severity Zone, and

WHEREAS, there is an increased threat of wildfire when open burning, recreational fires and charcoal BBQ's are allowed during high fire hazard conditions, and

WHEREAS, improperly extinguished recreational fires have the potential to escape the confines of their fire ring and threaten to, and have in the past spread to nearby wildland and structures, and

WHEREAS, improperly disposed of charcoal BBQ ashes have the potential to ignite combustible material and threaten to, and have spread to nearby wildland and structures, and

WHEREAS, the large visitor population in the District is not familiar that the District experiences elevated wildland fire danger and is designated a Very High Fire Severity Zone by the State of California, and

WHEREAS, by banning open burning, recreational fires and charcoal BBQ's during high fire hazard conditions (Wildland Fire Season), the threat of wildfire can be reduced.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE TRUCKEE FIRE PROTECTION DISTRICT OF NEVADA COUNTY AS FOLLOWS:

1. All of the above recitals are true and correct.
2. The District Board hereby rescinds Ordinance 03-2019 "*Setting Forth the Requirements and/or Restrictions Pertaining to Banning Open Burning and Recreational Fires During High Fire Conditions and Providing for Enforcement Options and Penalties*", effective when this ordinance takes effect.
3. Open Burning, Camp Fires, Bonfires, Portable Outdoor Fireplaces, Charcoal Barbeques,

Truckee Fire Protection District

ORDINANCE 04-2019

Ceremonial Fires and Recreational Fires as stated in the 2016 California Fire Code within the District's jurisdiction, shall be prohibited when atmospheric conditions or other local circumstances make such fires hazardous including when, in the judgment of the Fire Chief or their designee, the menace of destruction by wildfire to life, improved property, or natural resources is due to factors that may cause the rapid spread of wildfire such as; high winds, low fuel moistures, fire weather, the issuance of red flag warnings, severe threat of wildland fire, or the issuance of the fire restriction "suspending burning" on lands within or adjacent to the TFPD by the California Department of Forestry and Fire Protection (CalFire) or by the United States Forest Service (USFS).

**EXEMPTIONS:**

- a. UL or ASMI listed manufactured GAS (LPG or NG) outdoor flame devices, such as: Gas BBQ's or Gas Fire-pits that comply with the Fire Code.
  - b. Campfires and Charcoal BBQ's in designated campgrounds and/or picnic areas located on State or Federal lands.
  - c. Campfires and Charcoal BBQ's in a designated campgrounds and/or picnic area on other public or private lands, with additional restrictions as determined by TFPD staff.
  - d. Charcoal BBQ's for a commercial restaurant, catering operation or special event, with additional restrictions as determined by TFPD staff.
4. Open Burning (as described in section 2) will be prohibited on issuance of the fire restriction "suspending burning" on lands within or adjacent to the Fire District by the California Department of Forestry and Fire Protection (CalFire) or by the United States Forest Service (USFS). This is often referred to as the "burn ban" and "wildland fire season" which generally runs from June to November when wildland fires can burn out of control, but will vary each year depending on past, current and forecast conditions.
  5. Subject to Sections 2 & 3 of this Ordinance, failure to comply may be punishable as a misdemeanor, and a possible fine of \$1000.00 per day of violation and/or up to 90 days in jail.
  6. The Fire Chief can delay the start of, or the end of the ban on open burning based on local fire conditions.
  7. If any section, sub-section, paragraph, clause or word of the Ordinance is determined in a final ruling by a court of competent jurisdiction to be invalid or unenforceable, such finding shall not invalidate any other section, sub-section, paragraph, clause or word of this Ordinance, which shall remain in effect.
  8. This Ordinance shall take effect and be in force 30 days from its passage, until it is amended, suspended, and/or rescinded by the Board of Directors. Before the expiration of 15 days after its passage, the Ordinance shall be published once in the *Sierra Sun*, a newspaper of general circulation within the jurisdiction of TFPD.

PASSED AND ADOPTED at a duly held meeting of the Board of Directors of the Truckee Fire Protection District of Nevada County on June 18, 2019, by the following vote:

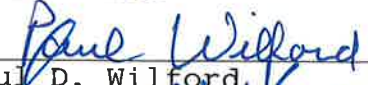
AYES:



Victor R. Hernandez



Gary R. Batto



Paul D. Wilford



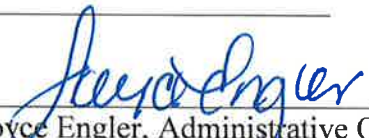
Gerald W. Herrick

NOES:

ABSENT: Erin E. Prado

ABSTAIN: \_\_\_\_\_

Attested by:



Joyce Engler, Administrative Officer/Clerk of the Board

Dated: June 18, 2019