

CHAPTER 3**FIRE HAZARDS; INCINERATORS****SECTION:****3-3-1: Elimination Of Hazards****3-3-2: Open Fires****3-3-3: Fires In Outside Pits Or Grills****3-3-4: Fire Causing Offensive Odors****3-3-5: Approved Incinerators (Rep. by Ord. 1454, 5-9-1989)****3-3-6: Incinerators; Hours For Burning****3-3-7: Chief May Refuse Burning Permit****3-3-8: Street Fires****3-3-9: Permits And Notices****3-3-10: Fire Service Fees****3-3-1: ELIMINATION OF HAZARDS:**

No person shall permit paper, rags, boxes, waste or combustible rubbish or inflammable substances of any character to accumulate in any quantity in any building, yard, street, alley or other place in such a manner or to such an extent as to cause a fire menace, or increase the danger of fire or to endanger life or property. The accumulation of rubbish or any materials is hereby declared to be a nuisance and it shall be the duty of the Fire Chief, a representative from his department, or any police officer, to see that such nuisances are abated immediately after discovery, using summary measures if necessary to effect immediate abatement. If in his judgment the fire menace is not immediate he shall give written notice to the occupant or owner of the premises or building or the person responsible for the condition, to remedy or remove the condition within forty eight (48) hours thereafter, and such order must be complied with. (Ord. 758, 6-6-1953; amd. Ord. 1355, 5-8-1984)

3-3-2: OPEN FIRES:

(A) No person shall ignite, set fire to or burn in the open air in any open, exposed or outdoor fire, any rubbish, paper, shavings, boxes, cardboard, construction lumber, plywood, trimmings, grass, litter or other combustible waste materials or substance, except hazardous vegetation, at any time.

(B) It shall be unlawful for any person to ignite, permit, or maintain an open fire within the City limits of the City of Placerville after the time when burning is declared prohibited by Cal Fire, until the date Cal Fire declares, by proclamation, that the hazardous fire conditions have abated for that year, (usually after rainfall sufficient for thorough wetting of vegetation), or at any other time during any year when unusual fire hazard conditions exist in the City as determined by the Fire Chief. The Fire Chief may issue special permits for burning if, in his opinion, the circumstances warrant.

(C) During the season when residential burning is permitted, after fire conditions have abated for that year, and before open burning is prohibited in the next year, the following regulations shall apply:

1. All open burning within the City of Placerville shall be subject to El Dorado County Air Quality Management District declarations of a "Permissive Burn Day" on any day proposed for open burning.

2. All open burning within the City of Placerville shall be subject to the burn permit requirements of the El Dorado County Air Quality Management District and the El Dorado County Fire District or Cal Fire.

3. Any open burning shall be at all times under competent and continuous supervision and not within ten feet (10') of any building or structure. All flammable or combustible materials shall be cleaned away from any hedge, ornamental shrub or tree for such distance as may be necessary to safeguard the same from scorching, or igniting or burning, but in no case less than ten feet (10') therefrom.

4. It shall be unlawful for any person to ignite, permit or maintain an open fire within the City of Placerville at any time, without the prior, written consent of the landowner or their agent.

5. Any violation of this section shall be deemed to be a misdemeanor. (Ord. 1700, 8-13-2019)

3-3-3: FIRES IN OUTSIDE PITS OR GRILLS:

(A) The prohibition in section 3-3-2 of this chapter is not intended to prohibit outdoor fires within habited premises, developed recreational areas or City parks where the following conditions are met:

1. Fire is built in a permanent barbecue, portable barbecue, outdoor fireplace, incinerator or grill located on property that the individual using such device has the legal authority to occupy; and

2. Fire is a minimum of fifteen feet (15') from any grass, grain, brush or forest covered area; and

3. Competent and continuous supervision is present at all times capable of tending such fire.

4. All fires and coals in fireplaces, pits or grills shall be thoroughly extinguished after the use thereof has been completed.

5. No person shall use any permanent barbecue, portable barbecue, outdoor fireplace or grill for the disposal of rubbish, trash or combustible waste material.

(B) Any violation of this section shall be deemed to be a misdemeanor. (Ord. 1700, 8-13-2019)

3-3-4: FIRE CAUSING OFFENSIVE ODORS:

No person shall at any time or place within the City, set fire to, ignite or burn garbage, hair, rags, animal waste matter, or other materials likely to create offensive odors or excessive smoke. (Ord. 758, 6-6-1953)

3-3-5: APPROVED INCINERATORS:

(Rep. by Ord. 1454, 5-9-1989)

3-3-6: INCINERATORS; HOURS FOR BURNING:

No person shall cause or permit any fire in any incinerator to burn, smolder or smoke between the hours of twelve o'clock (12:00) midnight and six o'clock (6:00) P.M. of any day. (Ord. 1318, 4-26-1983)

3-3-7: CHIEF MAY REFUSE BURNING PERMIT:

The Fire Chief shall have the right to refuse to issue a fire permit, or allow the burning of any combustible material in any case where, in his opinion, such burning would be dangerous or unsafe. (Ord. 758, 6-6-1953)

3-3-8: STREET FIRES:

It shall be unlawful for any person except an officer or employee of the City within the line of his duty, to set fire to, ignite or burn any combustible material or substance upon any street, alley, sidewalk, park, parkway or public property within the City. (Ord. 758, 6-6-1953)

3-3-9: PERMITS AND NOTICES:

(A) The Fire Chief, or any officer or member of the Fire Department designated by the Chief, is hereby authorized and empowered to issue any written permit required by this chapter.

(B) Any order or notice required to be given by the provisions of this chapter shall be in writing, and signed by the Fire Chief or other authorized officer or member thereof. Such order or notice shall be personally served upon the owner, or occupant in possession of the property or premises affected thereby. In the event that neither the owner, occupant or person in charge of the premises can be located thereon, then the order or notice shall be sent by registered mail directed to the owner or tenant or reputed owner or tenant of the property, at his last known Post Office address. (Ord. 1175, 11-14-1978)

3-3-10: FIRE SERVICE FEES:

Fire service fees may be charged to any person, firm, corporation or business that through negligence, violation of the law or as the result of carelessness is responsible for the cause of any Fire Department to respond to the scene of an incident. The fee shall not exceed the actual cost of suppressing the fire and/or responding to the scene of the incident. (Ord. 1454, 5-9-1989)

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