

Outdoor Burning

Be safe, Be courteous

June 28, 2017



www.TheParksatMillCreek.com

Questions are welcomed:
TheParksACC@msn.com

Introduction

The burning of trash, yard debris, the use of burn barrels or smoking out your neighbors is always illegal. The use of small recreational fires is allowed with restrictions.

The emissions from fires, visible and invisible, commonly referred to as “smoke” can be both annoying and dangerous. The flames can also be a problem if not controlled. In The Parks our homes are built very close together and smoke does not tend to rise and dissipate above the trees but instead it lies close to the ground and spreads across the neighborhood. This is especially problematic during warm weather when people open their windows day and night to try to stay cool. The smoke tends to enter and fill the interior of the surrounding houses. It can even be an issue in cool weather with the windows closed because any activity that causes a negative pressure in the house, like running the clothes dryer or the active fresh air system or turning on a room exhaust fan or using a fireplace, draws in outside air through the room fan exhaust vents and the active fresh air intake. The encroachment of smoke can simply be an annoyance or a serious health issue to surrounding neighbors distracting from their enjoyment of their property inside and outside.

We want all owners to enjoy their property as they like but not at the annoyance or discomfort of others. So if a neighbor approaches you expressing that they are bothered by the smoke from your fire by law you must extinguish your fire immediately.

What is a recreational fire?

Recreational fires are defined as cooking fires and charcoal barbecues, campfires and bonfires in designated areas or on private property for cooking, pleasure or ceremonial purposes. Fires lit in chimineas, fire pits, fire bowls and similar free-standing devices (except burn barrels) fall under this definition.

What are the regulations?

Puget Sound Clean Air Agency

- Keep it small. Fires must not exceed three feet in diameter or two feet in height.
- Fuel it right. Only charcoal, dried firewood or manufactured fire logs may be used. It is illegal to burn anything else.
- Stay clear of structures. Check with your local fire department regarding setback requirements.
- Stand guard and extinguish. A person capable of extinguishing the fire must attend it at all times, and the fire must be extinguished before leaving it.
- Ask first. Permission from a landowner, or owner’s designated representative, must be obtained before starting a recreational fire.
- Mind the ban. Recreational fires are always prohibited during air-quality burn bans. They may also be prohibited during a fire-safety burn ban (check with your local fire district.)
- Be a good neighbor. *It is always illegal to smoke out your neighbor.* If smoke from your fire bothers your neighbors, damages their property or otherwise causes a nuisance, you must immediately put it out.

What are the regulations? (continued)

Snohomish County Fire District 7

Fires must:

- Be at least 25 feet from any structure, utility, or property line.
- Be attended to by a competent adult at all times.
- Have water and hand tools immediately available for suppression.
- Be on land whose owner has given permission for a fire to be started.
- Be completely extinguished before leaving.
- Be maintained such that it does not create a nuisance (emission of smoke or any other air contaminant that unreasonably interferes with the use and enjoyment of the property upon which it is deposited).
- Be started only after determining that 1) a burn ban does not exist (by checking at www.snofire7.org or calling 360-794-7666); and 2) wind speeds are not in excess of 5 miles per hour.
- Contain only those materials specifically allowed for the type of fire: Charcoal and dry firewood.
- Not contain materials hauled from another property.
- Be limited to one fire at a time. Burn barrels are prohibited by state law.
- Never contain any of the following:
Garbage; grass clippings; dead animals; asphalt; petroleum products; paints; rubber products; plastics; cardboard; treated wood; construction / demolition debris; metal; any waste, product, or byproduct from a commercial or business operation; animal wastes; milled lumber; or any other substance (other than natural vegetation) which normally releases toxic emissions, dense smoke, or obnoxious odors when burned.
- Be extinguished upon request by the Fire District, or upon a neighbor's complaint of nuisance smoke.

How can I be sure the conditions are right for a fire?

There is no fool proof answer and understand that in The Parks environment conditions are seldom if ever fire friendly. However you can check to see if there is a burn ban in effect and assess whether the conditions are right for the smoke from your fire to rise above the trees before dissipating. Also make sure you can position the fire within the required setbacks. If you start a fire and see that the smoke is crossing your property line at ground level strongly consider putting the fire out. And if a neighbor approaches you about nuisance smoke from your fire cheerfully extinguish it immediately. The long term neighborhood goodwill derived from this act of courtesy resulting in the greater enjoyment of The Parks by all will far exceed the brief enjoyment derived from trying to capture the campsite ambiance in your backyard.



The smoke from my neighbor's fire is bothering me. What can I do?

There are a number of approaches you can take:

- If there is an immediate fire safety issue call 911. And then approach your neighbor to take appropriate action.
- If it is a nuisance issue, approach your neighbor and calmly and pleasantly explain the situation to them and ask them to extinguish the fire. By law they must comply with your request. Courtesy is the key here for cooperation and long term good neighbor relations.
- If your neighbor refuses to comply with your request to extinguish the fire you can provide them with a copy of this pamphlet and ask them to reconsider.
 - If they still won't comply and it is an urgent nuisance or health issue, call 911 and ask if they can assist.
 - If it is not an urgent issue you can file a complaint on the Puget Sound Clean Air Agency website.
 - There is also some recourse the HOA can exercise. Although outdoor fires are not expressly mentioned in our CC&Rs, Article 3.5.11, Offensive Activity, of the Declaration and CC&R's does state "No noxious activity....shall be carried on in any Lot, nor shall anything be done, therein which may be or become an annoyance or nuisance to other owners or tenants." Contact the Architectural Control Committee or the Property Manager if you need HOA assistance.

