



AGENDA MEMORANDUM

CONTACT: Kirsten Garcia, City Manager

SUBJECT: Review and Discussion of Proposed Amendments to the Burn Permit Ordinance

SUMMARY: Review and discussion of proposed amendments to Chapter 14, Article IV of the Code of Ordinances relating to outdoor burning. The proposed amendments are intended to provide clearer policy direction for the administration of burn permits and to establish objective standards for permit issuance, denial, suspension, revocation, and appeals. Staff is seeking Council policy direction only. No action to adopt the ordinance is requested at this time.

BACKGROUND INFORMATION: The City's burn permit ordinance has remained largely unchanged since its original adoption in 1992, with revisions in 2000 and 2024 primarily related to permitting authority.

Following a permitted burn that escaped containment and required a response from the Fire Department, Council discussed the City's burn permit process at its April meeting. While concerns were raised regarding public safety and the changing nature of development within the City, no amendments or additional policy directions were provided.

Since that discussion, staff has continued administering the ordinance and has identified several areas where additional guidance would improve consistency and transparency in the permitting process.

ISSUE: The current ordinance authorizes the Fire Marshal, Fire Chief, or designee to issue burn permits but provides limited objective criteria for determining when a permit should be approved, denied, or conditioned. As residential development continues, particularly in areas such as Oakwood Shores, balancing the needs of property owners with the City's responsibility to protect public safety has become increasingly challenging.

Without clearly defined standards, permit decisions may rely on subjective judgment, creating uncertainty for both staff and applicants. In addition, the current ordinance does not establish an administrative appeals process for applicants whose permits are denied or revoked.

To facilitate Council's discussion, staff has prepared a draft ordinance for review that includes proposed provisions to:

- Establish objective criteria for evaluating burn permit applications;
- Authorize reasonable permit conditions based on weather, site conditions, and public safety;
- Define circumstances under which permits may be denied, suspended, or revoked;
- Clarify staff authority when conditions become unsafe; and
- Establish an administrative appeals process for permit decisions.

The draft ordinance is intended as a working document to assist Council in evaluating potential policy changes and does not represent a recommendation for adoption in its current form.

FISCAL IMPACT: None at this time. Depending on the policy direction provided by Council, there may be minimal future costs associated with implementation. For example, if Council elects to require on-site inspections by the Fire Marshal or designee prior to authorizing a burn, additional personnel time or compensation may be necessary.

RECOMMENDATION: Review the draft ordinance and provide policy direction regarding any desired revisions to the City's burn permit process. Following Council's discussion, staff will incorporate the direction provided, coordinate with the City Attorney as appropriate, and present a final ordinance for consideration at a future meeting.

Thank you,

A handwritten signature in blue ink that reads "K. Garcia". The signature is written in a cursive, flowing style.

Kirsten Garcia, MPA, TRMC