

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SANDPOINT, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AMENDING SANDPOINT CITY CODE TITLE 4, CHAPTER 3, FIRE PREVENTION AND PROTECTION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City desires to update and modernize Chapter 4-3 to reflect current fire service practices, improve clarity, and ensure consistency with applicable state laws and regulatory standards;

WHEREAS, the amendments retain the foundational framework and intent of the existing code while providing clearer definitions and enforceable safety requirements;

WHEREAS, updates to Article A (Fire Department) reaffirm the establishment, organization, and general duties of the department, while clarifying expectations related to emergency response, equipment readiness, and fire prevention activities;

WHEREAS, revisions to Article B (Fireworks) preserve existing prohibitions and enforcement authority while clarifying allowable fireworks in accordance with Idaho Code, and reaffirm the authority of the Fire Chief to permit and regulate public fireworks displays, including the imposition of conditions and fees established by resolution;

WHEREAS, Article C (Open Burning Regulations) is substantially revised to establish a structured and enforceable framework for outdoor burning within city limits, including:

- clearly defined categories of permitted and prohibited burning, including recreational fires, yard debris burning, warming fires, and the prohibition of slash piles; and
- specific safety requirements addressing attendance, clearance distances, weather conditions, and fire suppression readiness; and
- the establishment of a formal burn permit process, including application requirements, issuance criteria, and revocation authority; and
- explicit prohibitions on high-risk burning activities within city limits; and
- strengthened enforcement provisions and penalties;

WHEREAS, these updates are intended to improve clarity for residents, enhance public and firefighter safety, and provide clear and defensible enforcement standards for the Fire and Police Departments;

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Sandpoint:

ORDINANCE SECTION 1 – AMENDMENT TO CITY CODE 4-3

City Code 4-3 is hereby amended as follows:

- **ARTICLE A. - FIRE DEPARTMENT**

- **4-3A-1: - Department Created:**

There is hereby created a Fire Department which shall consist of a fire chief and such other personnel as may be provided for by the city council.

(Revised Code 1958)

- **4-3A-2: - Duties of Members:**

It shall be the duty of members of the Fire Department to provide for the immediate answering of all fire calls and to fight all fires in the best and most modern available methods. Members shall see to the care and maintenance of all firefighting equipment and have such equipment in constant workable condition at all times.

(Revised Code 1958)

- **4-3A-3: - Fire Prevention:**

Every possible action shall be taken by the members of the Fire Department to eliminate fire hazards and to provide for fire prevention methods and operations within the city.

(Revised Code 1958)

- **4-3A-4: - Volunteer Members:**

Any volunteer members of the Fire Department shall conduct themselves in the same manner and under the same rules and regulations as regular members of the Department. They shall respond to all fire calls according to a schedule prescribed by the chief of the Fire Department and they shall attend all meetings and drills called by the chief.

(Revised Code 1958)

- **ARTICLE B. - FIREWORKS**

- **4-3B-1: - Prohibited Acts:**

ORDINANCE NO. _____

A.

It is unlawful for any person to possess, sell, give away or discharge any firecrackers or fireworks of any kind in the city except those fireworks specifically approved by provisions of the Idaho Code.

B.

It is unlawful for any person to possess, sell, give away or discharge any firecrackers or fireworks of any kind in the city parks, and all city-owned or leased property, except those fireworks specifically approved under the provisions of Section 4-3B-2 of this Article.

(Ord. 1027, 7-21-1999)

- **4-3B-2: - Public Display Permits:**

The fire chief is hereby authorized and empowered to issue written permits for the public display or exhibition of fireworks within the territorial limits of the city. Such permits must specify the time and place for the giving of such public display or exhibition and shall prescribe the conditions governing the conduct of the same. ~~A reasonable fee for issuance of such permit shall be established by the city clerk.~~ The permit fee shall be established by city council resolution.

(Ord. 232, 9-23-1949; amd. 1983 Code)

- **4-3B-3: - Enforcement:**

It shall be the duty of the members of the Police Department and Chief of the Fire Department of the city to take such steps as may be necessary for the enforcement of this Article.

(Ord. 232, 9-23-1949; amd. 1983 Code)

- **4-3B-4: - Penalty:**

Any person violating the provisions of this Article shall be subject to a fine not to exceed three hundred dollars (\$300.00) and costs of prosecution, or by imprisonment not to exceed six (6) months, or by both such fine and imprisonment.

(Ord. 232, 9-23-1949; amd. 1983 Code)

- **ARTICLE C: OPEN BURNING REGULATIONS**

- **4-3C-1: - General Safety Requirements**

Any person conducting open burning under this Article shall comply with the following:

- A. Constant attendance until fire is fully extinguished;
- B. Fire suppression equipment must be on site (e.g. connected hose, fire extinguisher rated 2A minimum, or equivalent);
- C. Immediate extinguishment when high wind conditions occur or smoke creates a nuisance;
- D. Minimum fifteen (15) foot clearance from structures, property lines, and combustibles;
- E. Compliance with all DEQ air quality alerts and burn bans; and
- F. Immediate cessation if ordered by fire chief or law enforcement.

- **4-3C-2 Definitions:**

For purposes of this Article:

- A. "Open Burning" means any intentional fire set outdoors for burning wood, vegetation, or other solid fuel.
- B. "Yard debris" means leaves, grass clippings, and branches/trimmings up to three (3) inches in diameter and four (4) feet in length from routine landscape maintenance on the property.
- C. "Slash pile" means vegetative debris over three (3) cubic yards from lot clearing, tree removal, or logging operations.
- D. "High wind conditions" means sustained winds over 10 mph or gusts over 20 mph as forecasted by the National Weather Service.
- E. "Burn permit" means written authorization from the fire chief for open burning.
- F. "Burn barrel" means a metal container not exceeding fifty-five (55) gallons in capacity used for containing fires.

- **4-3C-3 Recreational Burning/Cooking Fires**

Recreational burning and cooking fires are authorized without a permit if:

- A. Contained in a manufactured fire pit, chimenea, outdoor fireplace, grill, or similar device;
- B. Section 4-3C-1 requirements are met.

Cooking fires in city parks are prohibited except at City Beach Park using permanent grills only. Portable grills are prohibited.

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- **4-3C-4 Yard Debris**

Burning yard debris is authorized, with a valid burn permit issued by the fire chief or their designee. All yard debris must have been generated from the property identified on the permit. It is not permitted to bring in debris from other properties. . The requirements of Section 4-3C-1 apply at all times during burning.

- **4-3C-5 Warming Fires**

Warming fires are authorized and do not require a burn permit. Warming fires shall be contained in a burn barrel. At construction sites, only dimensional scrap lumber may be burned. Burning of laminated or pressure treated wood is prohibited. The requirements of Section 4-3C-1 apply at all times during burning.

- **4-3C-6 Slash Piles**

The burning of slash piles within city limits is prohibited. Slash piles are typically created during lot clearing or logging operations and pose a significant fire hazard as well as air quality concerns. Residents and contractors shall use alternative methods of disposal—such as chipping, hauling, or composting.

- **4-3C-7: - Burn Permits**

- A. Application: Applications for burn permits under Section 4-3C-4 shall be submitted to the Fire Department and shall include the applicant's name, address, property location, type and volume of material to be burned, and proposed burning dates.
- B. Issuance: The fire chief or designee may issue a burn permit if the proposed burning complies with this Article and can be conducted safely without creating a hazard or nuisance.
- C. Conditions: The fire chief may impose conditions on burn permits as necessary for public safety.
- D. Fees: Burn permit fees shall be established by city council resolution.

ORDINANCE NO. _____

E. Revocation: The fire chief may revoke a burn permit for violations, weather changes, or safety concerns.

• **4-3C-8: - Enforcement**

The fire chief, Fire Department members, and Police Department members shall enforce this Article. The fire chief or law enforcement may order immediate extinguishment of any fire violating this Article or otherwise creating a hazard.

• **4-3C-9: - Penalty**

Any person violating this Article shall be guilty of a misdemeanor punishable by fine not exceeding three hundred dollars (\$300.00), imprisonment not exceeding six (6) months, or both. Each day of violation constitutes a separate offense.

ORDINANCE SECTION 2 - REPEAL AND SEVERABILITY

- A. Any provision of the *Sandpoint City Code* found to be inconsistent with this Ordinance is hereby repealed.
- B. Should any provision of this Ordinance be deemed unlawful or unconstitutional, such finding shall not affect the remaining provisions of this Ordinance.

ORDINANCE SECTION 3 – PUBLICATION AND EFFECTIVE DATE:

This Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

PASSED AND ADOPTED AS AN ORDINANCE OF THE CITY OF SANDPOINT, IDAHO, AT A REGULAR SESSION OF THE SANDPOINT CITY COUNCIL ON _____, 2026.

Jeremy Grimm, Mayor

Attest: _____
Meri Jane Bohn, City Clerk