

**BOARD OF COUNTY COMMISSIONERS  
COUNTY OF KITTITAS  
STATE OF WASHINGTON**

**ORDINANCE**

**NO 2024- 004**

**ORDINANCE AMENDING CHAPTER 15.08 OF THE KITTITAS COUNTY CODE TO  
CORRECT MINOR INCONSISTENCIES.**

**WHEREAS:** The Kittitas County Prosecuting Attorney serves as the Code Revisor for the County; and

**WHEREAS:** It was brought to the attention of the Kittitas County Prosecuting Attorney's Office that there was an inconsistency contained within Chapter 15.08.030; and

**WHEREAS:** The Prosecuting Attorney's Office recommends these immediate amendments to chapter 15 KCC be adopted to reconcile the code.

**NOW, THEREFORE BE IT ORDAINED,** the Kittitas County Board of County Commissioners declares it be in the best interest of the public to adopt the amendments to chapter 15.08 KCC set forth and attached hereto as Exhibit A and does hereby order the incorporation of the attached amendments into said code.

**ADOPTED** this 7<sup>th</sup> day of May 2024, at Ellensburg, Washington.

**BOARD OF COUNTY COMMISSIONERS  
KITTITAS COUNTY, WASHINGTON**

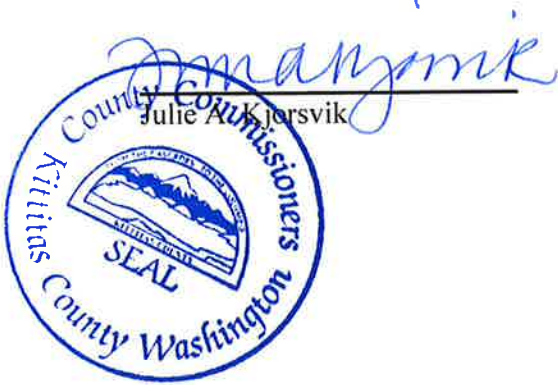
  
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**Chairman**

  
\_\_\_\_\_  
**Vice Chairman**

  
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**Commissioner**

ATTEST:  
CLERK OF THE BOARD

APPROVED AS TO FORM:



\_\_\_\_\_  
Douglas R. Mitchell, Deputy Prosecuting Attorney

# EXHIBIT A

## **Chapter 15.08**

### **BURN BANS**

#### **Sections**

15.08.010 Established when.

15.08.020 Open burning prohibited.

15.08.030 Violation - Penalty.

#### **15.08.010 Established when.**

1. The Kittitas County fire marshal may, after a written determination to the Kittitas County board of commissioners that there is an extreme fire hazard in the county, establish a prohibition against burning in incinerators, open burning, and recreational fires as such are defined in 1997 Uniform Fire Code, Article 11, Section 1102. The Kittitas County fire marshal shall notify the Kittitas County board of commissioners, in writing, when such a burning ban should be lifted because the period of extreme fire hazard has ceased.
2. The Kittitas County board of commissioners may rescind the establishment of a burn ban or modify the condition of a burn ban upon petition to the board or upon the request for a meeting by a member of the board. Such rescission or modification by the board shall occur only after holding a public meeting on this matter. The issuance of a burn ban by the fire marshal is presumed valid and shall only be rescinded or modified upon entry of finding of facts from the record which clearly demonstrate that there is not an extreme fire hazard warranting the issuance of a burn ban or that the limitation of the burn ban are excessive under the circumstances.
3. The Kittitas County fire marshal may grant campgrounds or special events an exemption to a burn ban upon application to the county fire marshal and the payment of a processing fee in the amount of forty dollars per hour with a minimum of one hour. Any exemption shall contain such conditions as the fire marshal deems necessary to mitigate the concerns for extreme fire hazard (1997 Uniform Fire Code, Appendix II-A, Section 13). Such exemptions and conditions shall be in writing. A copy of such exemption (with conditions) shall be prominently posted at the burning site and shall be provided to the Kittitas County board of commissioners. Any party feeling aggrieved by a denial of a burn ban exemption or the conditions imposed as part of the grant of an exemption may appeal such decision to the Kittitas County board of commissioners. (Ord. 2002-08 (part), 2002: Ord. 94-17 § 1, 1994).

#### **15.08.020 Open burning prohibited.**

It is unlawful to engage in burning in any unincorporated area in Kittitas County in an incinerator, open fire or recreational fire after the Kittitas County fire marshal has established the burn bans and prior to the bans being lifted unless such burning is conducted in accordance with a written exemption pursuant to Section 15.08.010(c). (Ord. 2002-08 (part), 2002: Ord. 94-17 § 2, 1994).

#### **15.08.030 Violation - Penalty.**

Any person, company, firm, corporation or other legal entity who:

1. Violates Section 15.08.020 shall be guilty of an infraction, punishable by a fine of two hundred fifty dollars, not including statutory assessments.

2. Violates Section 15.08.020 a second time within any twelve-month period shall be guilty of a misdemeanor, punishable by up to ninety days in jail and/or a fine of up to one thousand dollars.
3. Violates Section 15.08.020 three or more times within ten years shall be guilty of a gross misdemeanor, punishable by up to three hundred sixty-five days in jail and/or a fine of five thousand dollars. (Ord. 2002-08 (part), 2002: Ord. 94-17 § 3, 1994).

## Chapter 15.08

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