

**MARYSVILLE FIRE DISTRICT  
A REGIONAL FIRE AUTHORITY  
RESOLUTION NO. 2019-027;**

**A RESOLUTION AUTHORIZING OUTDOOR BURNING WITHIN THE MARYSVILLE FIRE DISTRICT**

**WHEREAS**, the City of Marysville (City) and the Snohomish County Fire Protection District No. 12 (“District 12”), by Interlocal Agreement in 1991, and as was subsequently amended, created the Marysville Fire District (District) to provide fire and emergency response services within the corporate limits of the City of Marysville and the boundaries of the Snohomish County Fire Protection District No. 12; and

**WHEREAS**, with the growing needs of the community within the service area and the demands for enhanced fire and EMS services the City and the District determined that it was in the public interest to place a measure, pursuant to the terms and conditions of chapter 52.26 RCW, before the voters that if approved would result in formation of a regional fire authority (RFA); and

**WHEREAS**, pursuant to the special election was held on April 23, 2019, for consideration of Ballot Measure Proposition No. 1, the voters approved and authorized the creation of the Marysville Fire District, a regional fire authority effective October 1, 2019; and

**WHEREAS**, RCW 52.26.100(3) states that “[e]xcept as otherwise provided in the regional fire protection service authority plan, all rules and all pending business before the participating fire protection jurisdiction pertaining to the powers, functions, and duties transferred shall be continued and acted upon by the regional fire protection service authority, and all existing contracts and obligations shall remain in full force and shall be performed by the regional fire protection service authority.”; and

**WHEREAS**, RCW 52.26.090(g) authorizes the RFA Board to “exercise powers and perform duties as the board determines necessary to carry out the purposes, functions, and projects of the authority” which includes the adoption of governing Resolutions and Operational and Tactical Policies; and

**WHEREAS**, the regional fire authority, known as Marysville Fire District provides fire protection, emergency medical services, and other emergency and non-emergency services to and for the municipal corporations of the City of Marysville and Snohomish County Fire District No. 12; and

**WHEREAS**, in accordance with “RCW 52.12 – Powers-Burning Permits”, the Marysville Fire District currently allows outdoor burning through the use of a permit based system; and

**WHEREAS**, outdoor burning is allowed and regulated under “RCW 173.425 – Outdoor Burning”, and “RCW 70.94 – Washington Clean Air Act”; and

**WHEREAS**, the Puget Sound Clean Air Agency (PSCAA) has jurisdictional authority regarding outdoor burning within Snohomish County, and has developed and adopted rules for outdoor burning within its jurisdictional authority area; and

**WHEREAS**, Recreational and Ceremonial Fires, as defined by the PSCAA, are allowed within all areas of the Marysville Fire District under the rules and conditions in effect at the time of burning as set forth by the PSCAA, and

**WHEREAS**, the Marysville Fire District has determined that it is within the Districts best interest to maintain and continue the authorization for outdoor burning by its citizens,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS FOR THE MARYSVILLE FIRE DISTRICT, A REGIONAL FIRE AUTHORITY, AS FOLLOWS:**

A. That the Marysville Fire District shall continue to exercise its authority to permit outdoor burning as allowed by RCW 52.12.101.

B. That the Board of Directors authorizes, and through this document issues a permit to all land owners of properties within the Marysville Fire District (excluding those properties located within the Tulalip Indian Reservation) for, Residential Outdoor Burning (aka: Yard Debris/Waste Fires, Land Clean-Up) within the Marysville Fire District, in accordance with the following conditions;

1. No burning may take place within the Urban Growth Areas of the Marysville Fire District.
2. Only one debris pile may be burned at time. Each pile must be completely extinguished before another may be burned.
3. Material to be burned must be placed on bare soil or green grass or other similar areas free of flammable materials for a distance adequate to prevent the escape of the fire.
4. The debris pile being burned must be less than 5 feet in diameter and 5 feet in height.
5. The debris pile being burned shall contain only natural vegetation cultivated from the property upon which it is being burned.
6. The debris pile being burned must be at least 50 feet from all structures.
7. Burning must be done during periods of calm to very light winds.
8. There must be a continuous supply of water and a shovel at the debris pile being burned. Continuous supply refers to any source consisting of no less than 200 gallons of water and capable of being continuously delivered to all points along the circumference of the burning pile, at a minimum rate of flow of 3 gallons per minute. (Standard residential connected garden hoses usually comply.)
9. A person capable of extinguishing the fire must be in attendance of the debris pile being burned, and the fire must be completely extinguished before leaving it.
10. The attendee must have a copy of these burning rules, as published and distributed by the Fire Chief, onsite. The rules will be made available with no fee involved.
11. Burning shall comply with all rules and regulations of the Puget Sound Clean Air Agency.
12. All burning must take place during daylight hours only. Burning shall not commence prior to sunrise, and all debris piles being burned must be extinguished prior to sunset.

13. If any emission from the fire is detrimental to the health, safety, or welfare of any person or it causes damage to property or business, or it causes a nuisance, or a burning ban is imposed, then the fire must be extinguished immediately.
14. The owner of the property, upon which burning is being done, may be held liable for firefighting costs and damages as a result of the escape of fire, at the discretion of the Board of Directors.
15. Permission to burn under this authorization may be suspended or cancelled without notice by any of the following agencies: Marysville Fire District; Snohomish County Fire Marshal Office; Puget Sound Clean Air Agency; Department of Ecology; Department of Natural Resources; any other federal, state, or county agency having jurisdiction.

C. That the Board of Directors authorizes outdoor land clearing burning within the Marysville Fire District excluding those properties located within the Tulalip Indian Reservation, in accordance with the following conditions;

1. As of July 1, 2008, all Land Clearing Fire permits issued by the Marysville Fire District shall be cancelled and revoked, and Land Clearing Fire permits shall no longer be issued by the Marysville Fire District.

**MARYSVILLE FIRE DISTRICT, A REGIONAL FIRE AUTHORITY**

**ADOPTED** by the Marysville Fire District, A Regional Fire Authority, this 1<sup>st</sup> day of October, 2019 by majority vote of the members.

BOARD OF DIRECTORS

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Board Chairperson

ATTEST:

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District Secretary