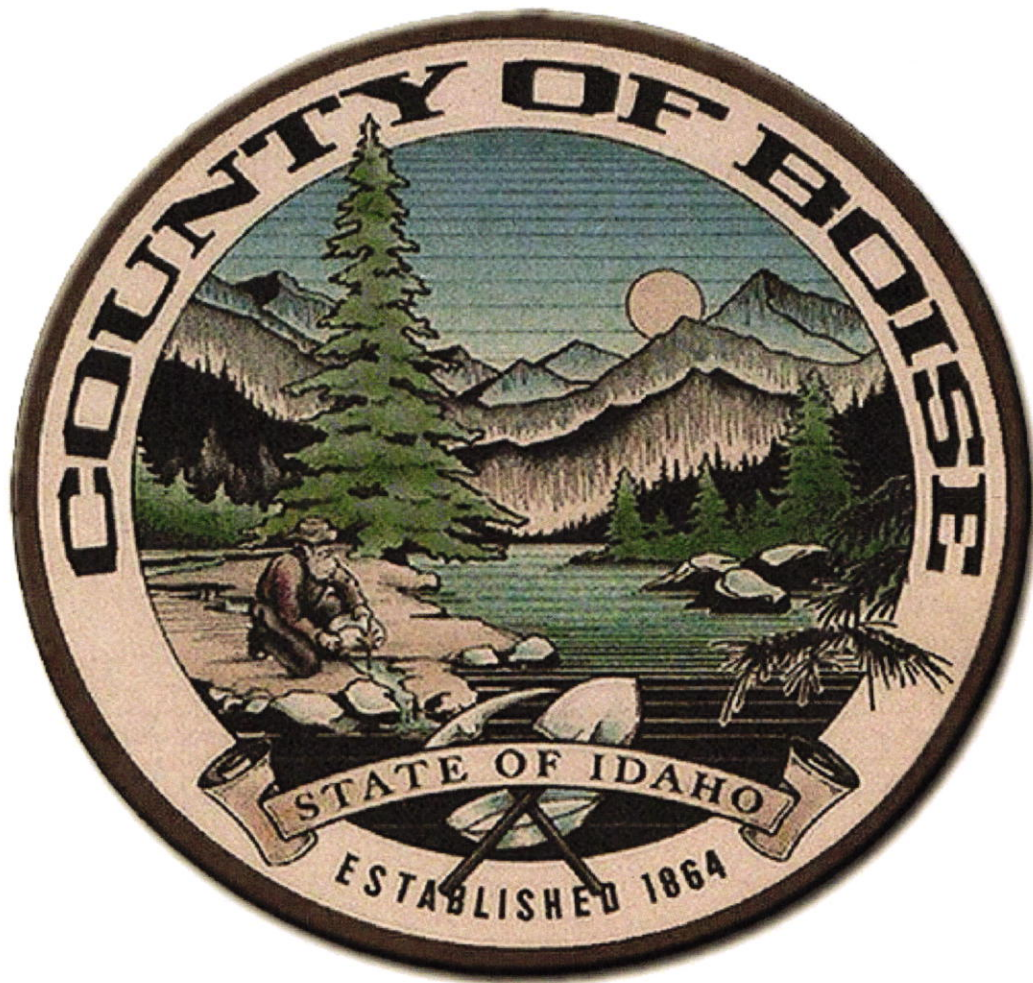


BOISE COUNTY
OUTDOOR BURNING ORDINANCE

2017-01

REPEALS ORDINANCE 2014-03



June 27th, 2017

Be it ordained by the board of county commissioners of Boise County, Idaho as follows:

SECTION A. Title

This section shall be known and cited as the BOISE COUNTY PREVENTIVE BURN ORDINANCE.

SECTION B. Authority

This section is adopted pursuant to the powers granted by Idaho law, including but not limited to Article XII, § 2 of the Idaho Constitution, and Section 31-714, Idaho Code.

SECTION C. Findings and Purpose

1. In recognition of historically frequent and large wildfires throughout Boise County and the many severe fire seasons throughout the past decade, the board of county commissioners hereby finds that the danger of catastrophic fire in the county is likely to be extremely high in the future. The board finds that enactment of this section is necessary for the safety, the promotion of the health and prosperity and the improvement of the morals, peace and good order, comfort and convenience of the county and the inhabitants thereof, and for the protection of public and private property situated within the county.
2. The purpose of this section is to restrict fires on both public and private property during the times of year in which fire threats are most severe.
3. Portions of this ordinance are based on the Idaho Fire Code, which is the 2015 International Fire Code, adopted by Idaho Code § 41-253.

SECTION D. Severability

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this county ordinance or any part thereof or any portion adopted by reference herein is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance, or any part thereof, or any portion adopted by reference herein. The board of county commissioners hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION E. Definitions

1. **"Approved fire structure"** means any of the following:
 - a. An incinerator that is constructed in accordance with the International Building Code, the International Fuel Gas Code, and the International Mechanical Code. Machinery that is not equipped with an effective means for arresting sparks shall not qualify as an incinerator;
 - b. An incinerator that complies with National Fire Protection Association (NFPA) standard 211;
 - c. A fully enclosed metal stove, grill, or sheep herder-type stove, any of which is outfitted with a chimney that is at least five (5) feet in length that is equipped with a spark arrester consisting of a mesh screen with screen opening of ¼ inch or less.
2. **"County closed season"** means July 1 to October 20 of each year, unless otherwise adjusted by the Board of County Commissioners by resolution.
3. **"Ground fuel"** means all combustible materials commonly found on the ground including but not limited to surface litter, leaves, pine needles, bark, duff, tree or shrub roots, punch wood, peat, and sawdust.
4. **"Solid wood fuel"** means firewood, charcoal, pellets, and untreated timber products. Rotten wood, wood chips, and sawdust are not solid wood fuel.