

ORDINANCE NO. 11-336

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF SNOWFLAKE, ARIZONA, AMENDING THE SNOWFLAKE TOWN CODE, TITLE 4, CREATING DEFINITIONS AND AUTHORIZING THE IDENTIFICATION OF "RED FLAG" FIRE DAY; AND ENACTING THE ORDINANCE BY DECLARING AN EMERGENCY.

RECITALS

WHEREAS, the Town Council, under authority granted by Arizona Revised Statutes 9-240, has the authority to adopt ordinance, resolutions, rules and regulations as may be necessary for the control or licensing of matters of local concern, and to do all acts which may be necessary and expedient to promote the health, safety and welfare of the citizens of the Town of Snowflake; and

WHEREAS, Title 4, Chapter 2, of the Snowflake Town Code sets forth rules and regulations pertaining to Burning Restrictions within the incorporated Town limits; and

WHEREAS, the immediate operation of the provisions of this ordinance is necessary for the preservation of the public peace, health and safety, an emergency is declared to exist and this ordinance shall be effective immediately upon passage by Council and signing by the Mayor and posting.

ENACTMENT

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Town Council of the Town of Snowflake, Arizona, that Town Code Title 4, Chapter 2, include a "Definitions" section and amend Title 4, Chapter 2, Section 4, each to read as follows:

DEFINITIONS:

"Campfire" means an open outdoor fire used only for the cooking of food or for providing personal warmth for human beings or for recreational purposes. A campfire shall be no larger than three (3) feet in diameter and two (2) feet in height.

"Charcoal Fire" means an open outdoor fire which uses primarily charcoal as the combustible material, and which is used only for the purpose of cooking food.

"Flue" means a pipe, tube, channel, duct or passage through which hot air, gas, steam, smoke or fire may pass, such as a chimney, stovepipe or stack.

"Open Outdoor Fire" means any burning, oxidation or combustion of combustible material of any type in the open where the products of combustion are not directed through a flue, including aerial fireworks and permissible consumer fireworks but not including campfires and charcoal fires.

"Red Flag Warning" (or "Red Flag Conditions") means a posting by the Snowflake Fire Department Chief to inform the town of the imminent or actual occurrence of extreme fire danger or extreme fire conditions as determined by the National Weather Service.

4-2-4: CHIEF MAY PROHIBIT:

The Chief of the Fire Department or designee, may prohibit any or all open outdoor fires, bonfires, and outdoor rubbish fires when atmospheric conditions or local circumstances make such fires hazardous or potentially hazardous. Fire restrictions will be determined through a declaration of a "Red Flag Warning" (or Red Flag Conditions").

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Snowflake, Arizona, this _____ day of _____ 2011.

Attest:

Kelly S. Willis, Mayor

Barbara Flake, Town Clerk

Approved as to Form:

Robert M. Hall, Town Attorney