

**Illegal Backyard Burning
Subcommittee Meeting
June 26, 2006**

Present: Glenn Zimmerman, Nora Schliske, Bob Anderson & Jim Sears.

- The task was to come up with suggestions of what the county might do to prohibit/eliminate illegal backyard burning. Then these suggestions would be taken to the BOC in the form of a recommendation.
- Glenn felt that expanding the UGB was not the scope of the SWMAC but was a political decision. Nora agreed with Glenn.
- After talking with Code Enforcement, Glenn gathered that unless they actually saw the person doing the illegal burning, they couldn't do anything about it.
- Education should be the main thrust of illegal backyard burning. Code Enforcement could visit the site of the illegal burning and inform the person that what they are doing is illegal. This would be a warning and the education piece.
- Nora said that the Aumsville Fire Chief documents these illegal burns and sends a report in to DEQ, but nothing gets done about it.
- Photo evidence might be more effective than written report.
- There are repeat offenders that should be watched a little more closely.
- The process needs to be looked at more closely.
- An educational program is needed to promote the control of illegal burning.
- Illegal burning most likely happens after hours or on weekends.
- Enforcement officers might be more effective than the DEQ.

- Jim shared his perspective:
 - The BOC was thinking we should mirror the City of Salem's prohibition for illegal backyard burning within the UGB.
 - Do we have to do an infraction or not? Dog Control doesn't have to, they can cite on certain facts. Whereas, Code Enforcement hasn't been able to do that. Another option is to go to the state and see if the statute could be changed so photographs could be used as proof. Fire chiefs don't want to be the enforcers.
 - We must get a legal opinion to state that code enforcement has to be the ones to issue a citation for illegal backyard burning. If they do, then going to the state to change the statute would be preferred, so they don't have to. Then we could work with the fire departments and get them to cite them, if they were repeat offenders.
 - Suggested that the subcommittee put together some educational material to give to the fire departments to pass on to the illegal burners to educate them on what to do or not do.

- Discussion took place on what would be included in the educational flyer. Jim suggested the subcommittee go through the Backyard Burning Flyer from the ES office and may be able to use some of that information.
- City of Woodburn, Silverton and City of Salem are the three with UGB's.
- Nora suggested getting data from fire departments on past-cited illegal backyard burning. The subcommittee felt that would be useful. Nora will check into this.
- Contact DEQ to see how many complaints they've received on illegal burning.
- Bob Anderson will continue gathering more information on illegal backyard burning from other states. Also begin working on the educational piece.

- Jim will contact DEQ to see if he can get past reports and then will check with legal council to reaffirm that we can't enforce unless we see it and then will bring this information back to the subcommittee within a couple weeks.
- Jim said that an educational letter could be put together from Public Works (Code Enforcement). This letter would be mailed to DEQ, fire departments and the public.
- Light discussion took place on future topics for SWMAC to deal with in the next couple years.
- Educational information on illegal burning of solid waste and UGB illegal backyard burning could be dispensed to the schools via the Recycling Educator.

Recap:

1. Develop some educational information to be dispensed.
2. Nora will check with the fire chief's to see if they will dispense the informational flyer.
3. Jim will get information to the subcommittee from legal council within a couple weeks.
4. Bob will work up a fact sheet of reasons why backyard burning is harmful.

Meeting adjourned.