

**City of Troutdale**  
**Public Safety Advisory Committee and Citizens Advisory Committee**  
**October 18<sup>th</sup>, 2007 7:00 pm**

**ATTENDING:** Mike Goss /Chair, Laurie Aronstein, Jon Brown, Jerry Stitzel, Chief David Nelson. Citizen Advisory Committee Members: Glenn White, Janice White, Kelly Kyle, Tanney Staffenson, Will Knight, Kelly Dowhan, Victoria Rizzo

**ABSENT:** Jorgen Shaw, Joe Carlson

**GUESTS:** Gus Lian, Gresham Fire Department/Fire Marshall

**I. Roll Call** – The joint meeting of the Public Safety Advisory Committee and the Citizens Advisory Committee convened at 7:00 p.m.

**II. Minutes of September 20<sup>th</sup>, 2007**

Jerry moved to approve the minutes of September 20, 2007 and Laurie seconded the motion. All were in favor and the motion passed.

**III. Public Comment** – There was no public comment.

**III. Fire Service Issues / Concerns** – Gus Lian, Fire Marshall with Gresham Fire Department and cities of Gresham and other 2 cities in District 10 was present to discuss the topic. In the last year, Gus has taken an ordinance to restrict backyard burning to the City of Gresham because of livability issues due to densities in the area. He noted that cities of Portland, Clackamas, Milwaukie, Gladstone, Oregon City and Lake Oswego do not allow backyard burning at all. Sandy recently enacted an ordinance and cities of Bend, Keizer, and now Gresham have enacted an ordinance. Many others in Oregon and in Washington are expected to follow due to increased densities in urban areas.

Gus explained that the Gresham Fire Department responds to about 250 calls for service per year about fire complaints, primarily backyard burning related. These include both legal and illegal burns and the complaints detail noxious smoke and odors. Gus said people have come to believe they have a right to privacy and to a good environment, free from increasing health risks. The plume goes up but doesn't dissipate and particulate matter stays in the air, especially when wind doesn't blow it into another area. Hazardous chemicals documented from burning include carbon dioxide, nitrogen oxides, hydrocarbons, acroline benzene, butadiene – most you can find on any MSDS (material data safety sheet) - eve methyl ethyl if chemicals are present in enough concentrations. Older folks with respiratory problems and others with asthma problems are especially susceptible to the fumes.

Gus pointed out that these calls take an engine out of service when they occur, because an engine is dispatched. If citizens have a legitimate medical or fire call, it will be delayed because they're at a backyard burning call. Out of the 250 total fire calls last year, 16 were Troutdale. Although this number does not seem significant, it would matter allot if it prevented response to even 1 significant call. The Fire department believes they cannot adequately do their job when they're running calls to these fire burning complaints.

Gus said that the department takes upwards of 13,000 calls per year for all 4 cities, 87% of which are medical and 13% fire related calls. This further highlights the importance of the engines being

in service for medical emergencies. Department investigators go out to 50 calls per year to follow up on the burn complaint calls. His staff is half the size it was 12 years ago, with a population service area that has grown a third to a half more in size.

Gus explained that the City of Gresham's program was designed to give citizens time to get used to the program. There are 10 days in spring and 10 days in fall for citizens to burn (which was a restriction from 180 days per year to 20). There is also opportunity for open burn permit, generally issued to people with very large properties who demonstrate hardship occurs from the restriction. In general, people are accommodating well to the program and taking care of the material through recycling. Gus indicated he is advocating the program's passage on behalf of the Fire Department for the reasons given above, and also to ensure consistence with citizens.

The Chief noted that the City Council had referred this topic to the 2 committees tonight and at his suggestion, a joint meeting was called so Gus could speak to the entire group at one time. The Chief reminded everyone that this does not preclude either group from acting independently with regard to the recommendation.

**In answer to questions from the committee, Gus provided the following information:**

1. They are recommending a 10 day burning ban at this time to ensure consistency but do foresee that down the road, discussion may occur regarding a complete ban is needed. Gus indicated he audits the program to see how much backyard burning is actually occurring and comparing it with continued development/urbanization numbers. A complete ban is primarily a judgment call, but based on his experience, they would probably look at it again in 3-5 years.
2. By Oregon state statute, recreational burning in the backyard is protected unless the Fire Marshall enacts a burn ban during the summer fire season. A barbeque or smoker is considered cooking, and not recreational burning nor subject to backyard burning regulations.
3. An open burn permit is typically issued for a commercial type burn for clearing a lot. Technically it refers to any type of open burning, and the Fire Marshall can grant one to a resident that has a larger parcel of land that is beyond backyard burning needs.
4. Despite the fact that only 16 of the calls for backyard burning were Troutdale calls (compared to 250 in the 3 city area), it is important not to get hung up on the. It is really a livability issue – what you expect in the privacy of your own property – not to have the encroachment of someone burning garbage, yard debris, and the ensuing hazardous chemical plume and overall smoke effect on medical conditions.
5. Paramedics respond to backyard burning because they're on the engine. It doesn't matter if it's a fire call, cut up a tree, or medical call, the engine responds with 3 firefighters and 2 or 3 of them are paramedic qualified. If it's a medical call, AMR (American Medical Response) is dispatched but they are primarily transport and if it's serious, the Fire department paramedic will go with that ambulance to the hospital.
6. Out of the 16 calls, some did turn out to be illegal burns. The numbers vary from year to year and in prior years, Troutdale has had as high as 30 calls.
7. DEQ established the Metro boundary as the boundary for no burning on restricted days and

having burn restrictions area a result of air quality assurance issues for the State. The days one can burn in Troutdale now are days that DEQ says are air quality deemed it ok. In addition, the Fire Marshall restricts burn days based on local conditions that contribute to fire or other hazards.

8. Many think factories are the big problem for pollution. In reality, Gus learned that the accumulative effects in small towns of backyard burning are actually worse than some of those perceived as major polluters from factories. Most factories these days have scrubbers and other enhancements required by EPA and DEQ.

9. There isn't a fee for backyard burning because there is no permit. All of the information is available on the burn line, and there is some information on the Fire Department website.

10. Patio fire pits are not restricted by the program as they're recreational although they are off limits except during fire season.

**Comments from the CAC Members were as follows:**

1. Numbers do matter and the fact these are low indicates the community might not support this. All of the ordinances they've passed dealing with sidewalks, parking, etc. are complaint driven and starts the engine of people getting out there and getting things fixed.

2. This seems to be picked out as the one thing to focus on when there are diesel engines and other factors influencing air quality that are just as problematic.

3. Density issues have not changed significantly (increased) in past years and the proposed change would be more confusing than the current system which works for Troutdale because the property owner can make up his own mind about when to burn.

4. We're a rural community and not much more growth can occur and there is plenty of room to do backyard burning under the current system.

5. We hate to see another right of citizens taken away but would consider it if there were more numbers to support the request. For now, tweak what we have to address safety issues.

6. Jan White Grew up in Los Angeles and believes everyone should do what they can to protect the environment from pollution. Although Troutdale by itself may never be big enough for it to be a big issue, and the problem seems small today - when grouping the 4 cities together, it can be a big issue. Jan understands both points of view but believes the program should be the same in all jurisdictions the Fire Department serves. It seems that because its so complaint driven and there are not a huge number of them, it's not a big deal. Conversely though, the changes won't have a big impact either and not be the hardship people fear.

7. The benefits are not polluting and freeing up the Fire Department to respond to more appropriate calls. If we could only send fire fighters and not paramedics - or send Code Enforcement on these calls that would be great. But it doesn't work that way and the budgets don't allow for additional staff.

8. We don't have an air quality expert here and I'd like to hear from someone who is an expert about how bad it is - we don't have enough information

Gus noted that DEQ wrote a letter to the Gresham Council when they considered the program outlining more information about contaminants which he will provide to the Chief to forward on to the PSAC and CAC. If they would like someone from DEQ to attend a meeting he could arrange this also.

Chief Nelson noted that at the time he wrote the staff report for the joint meeting, he didn't have information about the eventual probability of a complete ban or he would have included this in the packets. To the Chief's question, Gus said he didn't know of any plans by DEQ to ban woodstove burning. He could see that happening, however, in distant future.

Gus responded that despite appearances that density is not an issue, eventually land around the area will be occupied, these impacts will occur and DEQ will take a hand in creating regulations. At least in this way, local jurisdictions have some control. He believes this is the opportunity to set the standard now and prove that it works for the community before a State or Metro agency mandates changes. A ban is not his goal, but he is realistic that it is going to happen in the future. The department will work with people and educate about the program and they have actually had fewer complaints since enacting it in Gresham.

The CAC Chair noted that members of their committee would like to discuss this further at next meeting. She indicated they wouldn't need the Chief, Gus or a DEQ rep but they would like to get the DEQ letter referred to earlier.

Chief Nelson summarized that each committee will discuss the issue individually during their November meetings and input will be coming back through their committee staff person to the City Council.

## **V. Closing Comments –**

The meeting was adjourned by Mike Goss at 8:50 p.m. The next meeting is scheduled for Thursday November 15<sup>th</sup> at 7:00 p.m.

Prepared by Melody Thompson on 11/5/2007 and approved by the PSAC 11/29/2007.