



TITLE: Fire Restrictions for City Rights-of-Way and City-Owned Property
POLICY NO.: ADM 2021-5

Fire Restrictions for City Rights-of-Way and City-Owned Property

Policy No. ADM 2021-5

Bend Municipal Code 1.30.005 provides for 'City Manager Authority to Adopt Administrative Regulations, Policies and Guidelines.' All regulations, policies and guidelines adopted by the City Manager shall be consistent with the City of Bend Charter, the Bend Code, and council ordinances.

The following policy conforms to the above stated standards.

Authorized by City Manager:

DocuSigned by:
Eric King
409FF33EB4E64D3...

Eric King
City Manager

Dated: 10/22/2021

Reviewed by Legal Counsel:

DocuSigned by:
Mary Winters
F0C398BD345A438...

Mary Winters
City Attorney

Dated: 10/22/2021

City of Bend
City Manager Administrative Policy



I. PURPOSE: The purpose of this policy is to specify fire regulations for City rights-of-way and City-owned property.

II. RECITALS

A. The Bend Municipal Code (BMC) 5.30.005 allows open burning in compliance with the provisions of the chapter and the City of Bend Fire Department Outdoor Burning Regulations.

B. The City Council is the road authority for the City of Bend, and the City Manager is delegated the authority to close or restrict the use of streets and sidewalks, pursuant to BMC 6.10.000.

C. The City Manager's administrative authority includes the authority to adopt regulations, policies and guidelines relating to operation and maintenance of City-owned property. BMC 1.30.005.B.

D. Campfires, warming fires, cooking fires, outdoor fireplaces outdoor kiln fires and other similar type fires not more than three feet in diameter and approved cooking pits are generally allowed within City limits, pursuant to BMC 5.30.005 and Bend Fire Department's adopted Burning Regulations, subject to the permission of the property owner.

E. In consultation with the Bend Fire Department, given the dry climate, threat of drought conditions, and purpose of the City roadways, open fires on City-owned property and rights-of-way present a potential danger to the community, year-round. The City's burning regulations require certain distance be kept between property lines, structures, and open fires, among other requirements. There is not space within the right-of-way to meet the requirements in the City's burning regulations for distance from structures or to safely operate open flames. The risk to the public from open fires is significant.

F. Electrical cords in the right-of-way pose a related fire and safety hazard. The fire Department has noticed electrical cords connecting vehicles and laid within the right-of-way and across travel lanes. Electrical cords are not designed to be driven over and the wiring inside is likely to degrade quickly leading to arcing and a fire potential.

G. The City also recognizes the need to promote the health and safety of people without homes who require a means to stay warm through the winter.

H. The City now desires to prohibit open fires and clarify what types of warming devices are allowed on City-owned property within city limits and in Deschutes County, and on public rights-of-way within city limits, and to specifically address the fire hazard posed by electrical cords in the right-of-way.



III. POLICY

1. Open fires of any type are prohibited on City rights-of-way within city limits and City-owned property within city limits and in Deschutes County, including campfires, warming fires, cooking fires, outdoor fireplaces, outdoor kiln fires, and other similar type open-flame fires and cooking pits.
2. The only warming and cooking devices allowed to be used on City-owned property and City rights-of-way are portable propane, gas, electric, or battery-operated heaters, radiant heaters, and barbecue grills or camping stoves and similar devices.
3. All other regulations of the City of Bend Fire Department must be followed when using any allowed heating or cooking device.
4. Extension cords are prohibited to run between vehicles or across parking or travel lanes, except as may be temporarily necessary or otherwise permitted by the Bend Fire Department.
5. A violation of this policy may be a Class B civil infraction.
6. This policy will be in effect until rescinded, or modified.