



**BUSINESS OF THE CITY COUNCIL
YAKIMA, WASHINGTON
AGENDA STATEMENT**

Item No. 9.F.
For Meeting of: December 10, 2024

ITEM TITLE: Ordinance amending City of Yakima Municipal Code Section 6.56.050
Depositing or burning material

SUBMITTED BY: Jeffrey Schaap, Senior Assistant City Attorney

SUMMARY EXPLANATION:

Unlawful burning in public has been a reoccurring issue within the City. The current ordinance used to enforce the prohibition against “unlawful burning” in public is YMC 6.56.050, “Depositing or burning material.” This ordinance was enacted in 1935 and has not been amended since its enactment. The ordinance reads, “The depositing or burning or causing to be deposited or burned in any street, alley or other public place which is open to travel, of any hay, straw, paper, wood, boards, boxes, manure, leaves, grass, or other rubbish or material is declared to be a nuisance.” A violation of this section is a misdemeanor pursuant to Yakima Municipal Code 6.02.050. Since the enactment of this section, other ordinances have been adopted relating to littering and/or depositing waste and rubbish. This section is currently only used to enforce the prohibition against burning in public.

The proposed amended ordinance removes the references to depositing materials and makes causing a fire (regardless of what is being burned) on public property a violation. Moreover, the proposed ordinance gives broader meaning to “causes a fire,” to include starting a fire, adding fuel to a fire, or stoking a fire by some affirmative action. Thus, this proposed ordinance simplifies the language in the existing ordinance and allows for greater potential enforcement by broadening the definition of “causes a fire.” The proposed ordinance also includes exceptions for lawfully authorized fires.

ITEM BUDGETED: N/A

STRATEGIC PRIORITY 24-25: A Safe and Healthy Yakima

RECOMMENDATION: Pass Ordinance.

ATTACHMENTS:

[Ord-Amending YMC 6.56.050_Depositing or Burning Material_w-track changes.pdf](#)
[Ord-Amending YMC 6.56.050_Depositing or Burning Material_Final.doc](#)