



Memorandum

Mayor/Council

REVISED

TO: Mayor Mitchell and Members of the Tempe City Council

FROM: Mike Branom, Council Aide

DATE: Aug. 4, 2014

SUBJECT: Issue Review Session 8/14/14 – Maricopa County No-burn Ordinance

Overview:

This issue was prompted by a resident's complaint, to Councilmember Granville, that a neighbor violated Maricopa County's declaration of a no-burn day – but could not be cited because the fire was used for cooking. According to the County Air Quality Department, there is an exception for residential burning of wood on no-burn days as long as it occurs outside and is for the purpose of cooking food for immediate consumption. Ken Jones and I spoke with county officials, and they acknowledged a loophole in Rule 314 of the no-burn ordinance; the county's carve-out for restaurants using wood-burning stoves inadvertently allows private citizens to cook using wood fires on no-burn days.

Staff believes it would be proper for Council to ask the county to clarify its vague and/or misinterpreted ordinance, rather than the City enacting an ordinance of its own.

ADDENDUM: The packet now contains a revised draft letter and the county's ordinances in question.