

**PRINCE GEORGE'S COUNTY COUNCIL**  
**COMMITTEE REPORT**  
**2016 Legislative Session**

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**Reference No.:** CB-013-2016  
**Draft No.:** 2  
**Committee:** PUBLIC SAFETY AND FISCAL MANAGEMENT  
**Date:** 04/07/2016  
**Action:** FAV (A)

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**REPORT:**

Committee Vote: Favorable as amended: (In Favor: Council Member Franklin, Turner, Lehman, and Harrison)

CB-13-2016 is a bill which seeks to amend the Prince George's County Code to provide for expanded regulations governing open burning which will include recreational fires and portable outdoor fireplaces. It is felt that these changes will enhance life safety requirements and strengthen fire laws for the citizens of the County.

The proposed legislation will require a person 18 years or older, to be in direct view of an open fire, until such fire is completely extinguished. Burning by open fire for more than one day will also require the notification of Public Safety Communications prior to 8 a.m. on each day of the burning. Specific conditions are also being amended to Section 11-268 of the Fire Code to further strengthen and clarify the requirements for open burning, recreational fires and portable outdoor fireplaces.

An overview of the proposed legislation was provided by Deputy Chief Ben Barksdale and Battalion Chief James Reilly, both from the Prince George's County Department of Fire/EMS.

After the overview, Council Members raised concerns about the proposed bill as it relates to enforcement and the lack of a public education campaign to inform the public of the proposed law. There were also concerns raised relative to the applicability of the proposed law.

After discussion, several amendments were made to clarify the intent and applicability as well as a section added to require a public education and outreach program to be developed prior to the bills effective date. These amendments are embodied in Draft 2 of the proposed bill.

- On page 2, line 11 after "on" underline "or within thirty (30) feet of any"; on line 15, underline "(9) Recreational fires shall be no larger", and on line 27, delete "chimneys" and insert "chimeneas".

- On page 2 and 3 replace “section” with “subsection” and on page 3 line 10 delete “permitted” and insert “allowed”.
- On page 3, line 1 after “Section 2” insert “BE IT FURTHER ENACTED that the Fire/Emergency Medical Services Department shall create and implement a public education and community outreach initiative on the expanded fire safety regulations governing open burning, recreational fires and portable outdoor fireplaces.” and renumber following sections.

The Office of Law reports CB-13-2016 (Draft 2) to be in proper legal form with no impediments to its enactment.

The Office of Audits and Investigation reports that the bill should not have an adverse fiscal impact on the County.

After discussion the Public Safety and Fiscal Management Committee voted 4-0 favorable with amendments on CB-13-2016.