

Sterling Pointe Estates Owners Association

1220 Melody Lane, Suite 180 ♦ Roseville, CA 95678 ♦ (916) 786-6000 Ext. 324

Resolution #2005-02 Rule restricting open burning

This resolution establishes an association rule which restricts open burning within the development. Open burning shall be defined as any fire outside a home, excluding:

- Gas or charcoal grills
- Fire pits
- Outdoor fireplaces

This rule seeks to preempt probable violations of CC&R section 4.19 by establishing reasonable restrictions on open burning.

Open burning is only permitted under the following circumstances and restrictions:

1. A valid burn permit must be obtained from all appropriate Placer County agencies.
2. The rules and restrictions on those permit(s) must be followed.
3. The controlling county agency must declare a “burn day” for our area.
4. Open burning may only be conducted on weekdays, excluding federal or state holidays.
5. Open burning may not be initiated prior to 9am and it must be concluded by 3pm.
6. On any single lot, open burning may not be conducted more than two times during a single calendar month.
7. Open burning should only be used as part of regular yard maintenance. It should not be used as the result of the initial clearing of a lot, or a portion of a lot.
8. Even if all of the aforementioned restrictions are adhered to, if the burn causes a nuisance for any other Owner then the fire must be immediately extinguished in order to eliminate the nuisance activity and to comply with CC&R section 4.19. The determination as to whether the open burning constitutes a nuisance is based solely on the judgment of the complaining Owner.

By establishing and enforcing this association rule, we are making a fundamental choice that our neighbor's right to breathe clean air is more important than allowing you to have free disposal of vegetation by burning it.

The following text was taken from government agency documents pertaining to this issue:

The open burning of slash, weeds, and yard waste produces particulate matter and hydrocarbons, which contain a number of toxic, irritant, and carcinogenic (cancer-causing) compounds. The smoke also contains carbon monoxide. The air pollutants produced by burning vegetative material can irritate the lungs, cause breathing problems, trigger asthma attacks, increase the chances of respiratory infection, heart attacks and strokes, and cause cancer. Microscopic particles from burning are present even when the air may not appear smoky. These particles lodge deep in the lungs and damage delicate air sacs. This damage can aggravate respiratory and cardiovascular illness, decrease lung function and lead to premature death.

Aside from the health issues, Owners should also have the right to enjoy the use of their property without the nuisance of smoke or ash fall out from a neighbor's fire.

In accordance with the provisions of the second paragraph of CC&R section 8.09 (B), failure to comply with this Association rule may result in an immediate fine of up to \$500 per occurrence.

Recorded in the Book of Minutes: August 2, 2005

Signed: _____, 2005

Director Tupin

Circle: Approve Reject

Director Gravlin

Circle: Approve Reject

Director Killingsworth

Circle: Approve Reject

BOARD OF DIRECTORS
STERLING POINTE OWNERS ASSOCIATION