

Rutland City Charter & Ordinance Committee

February 27, 2024, Meeting

Members Present: Chair Savage, Alderman Cupoli, Alderwoman Hooker, Alderwoman Tadio, Alderman McCann

Others Present: Mayor Donges, President Talbot, Alderwoman Davis, Alderwoman McClure, Alderman Barbagallo, Attorney LaChance, Chief Kilcullen, Animal Control Officer Jones, Commissioner Broughan, Chief Lovett and, Gorden Dritschilo.

Minutes:

The meeting was called to order at 5:30 PM. Topics of the evening to discuss were language revisions to Dogs 13 ROR 2552, 13 ROR 13-2557, and Fire 15 ROR 7-2936. Chair Savage explained to the committee that she met with Commissioner Peg Flory and Attorney LeChance to discuss finding alternative language to replace the term “viscous” in the city ordinances. During this meeting, it was found that the methods used for determining action needed when there is a reported dog bite could remain the same and that only the word viscous needed to be addressed. Savage introduced canine behavior to replace the term vicious to the committee as the recommendation from the meeting. After a quick debate, the committee voted 5-0 to accept the language revision to Dogs and Other Animals 13 ROR 2552, and 13 ROR 13-2557 replacing the term viscous with concerning canine behavior, and to send to the full board and I so move.

The committee next looked at revisions to Fire 15 ROR 7-2936 to include language suggested by Fire Chief Lovett allowing certain methods of outdoor cooking fires. The chief explained to the committee that ordinance 7-2936 Burning in open places or near buildings could be revised to include the definitions of opening burning, which would require a local permit from the Rutland City Chief, and cooking fires which use charcoal or LP gas in an outdoor fireplace, a barbecue grill, or pit and to limit the use of wood to be used with a “smokeless fire cooker or pit” designed for the purpose of preparing food. There was a discussion about whether a fire other than a cooking fire could be permitted, and ordinances from other municipalities that define and permit such fires were introduced. Chief Lovett explained that broadening the definition to include such fires could pose some risk to the city. City Attorney LaChance said that the new language introduced by Chief Lovett could be approved, and the topic could remain in committee for further discussion. A motion was made to approve the revisional language to 15 ROR 7-2936 Burning in open places or near buildings submitted by Chief Lovett and to send to the full board. Motion passed 5-0 And I so move.

15 ROR 7-2936. Burning in open places or near buildings

(a) No person shall engage in any open burning except under a local permit from the Rutland City Fire Chief and in compliance with the laws and regulations of the State of Vermont.

(b) Open burning is defined as any outdoor fire other than a cooking fire.

(c) A cooking fire is defined as the burning of charcoal, or LP gas, in an outdoor fireplace, a barbecue grill, or pit. The burning of wood, in an Engineered Burner, commonly known as a "Smokeless Fire Cooker or Pit", designed for the purpose of preparing food, is permissible. No other use of wood is allowed.

(d) A cooking fire does not require a permit but is subject to all applicable codes and standards. A cooking fire deemed by the Fire Department to be a hazard or a nuisance will be ordered extinguished.

(e) The open burning of materials other than listed above in § 2936 for any other purpose is prohibited within the City of Rutland, without a permit.

Such unpermitted fires will be ordered extinguished. Repeated violations will be subject to (Maximum Fines Allowable including Civil Penalties. Complaints involving burning of illegal materials will be referred to the State of Vermont for possible action.

This topic will remain in committee to discuss if other methods of outdoor fires other than a cooking fire could be added in the future.

The meeting adjourned at 6:00 PM.