

*Rule 6. Prohibition of Open Burning.*

*Rule 6.1.* No person shall cause, suffer, allow or permit open burning except as provided in Rule 6.3. No person shall fail or refuse to take all reasonable and necessary steps and precautions to prevent open burning upon any premises owned, occupied or under the control of such person. No person shall fail or refuse to take all reasonable and necessary steps and precautions to extinguish or otherwise terminate and abate any open burning which has originated through any cause whatsoever upon any premises owned, occupied or under the control of such person or upon premises upon which such person is carrying out any operation or activity.

*Rule 6.2.* No person shall conduct a salvage operation by open burning.

*Rule 6.3.* Open burning of vegetation and wood materials may be permitted by the director provided the following conditions are met:

- (1) A signed application shall be submitted to the director giving the reasons why no other method of disposal can be employed, amount of material to be burned and location of material to be burned.
- (2) A fee of ten dollars (\$10.00) shall be included with the application, which fee shall be collected by the bureau and remitted to the city treasurer.
- (3) No burning shall occur until such inspection of the material as may be required by the bureau is conducted.
- (4) Burning shall be conducted only on days of low pollution potential as determined by the Bureau, and only between the hours of 9:00 A.M. and 4:00 P.M. on such days.
- (5) Only clean fuel not containing garbage, rubber, plastics or other refuse shall be allowed for the start-up of fires.
- (6) Written approval is received from the director.

*Rule 6.4.* Controlled burning of vegetation and wood materials may be permitted by the director provided the following conditions are met:

- (1) A signed application shall be submitted to the director including the following:
  - a. Complete plans and details of the method and equipment to be used for the control of such burning.
  - b. Name of the person in charge of the equipment and how he may be contacted.
- (2) An annual fee of two hundred dollars (\$200.00) shall be included with the application which fee shall be collected by the bureau and remitted to the city treasurer. Controlled burning permits are renewable annually. Application for renewal of a controlled burning permit shall be made in writing not less than sixty (60) days prior to the expiration of the permit for which renewal is sought.
- (3) Written approval is received from the director.

*Rule 6.5.* Open burning shall be allowed without compliance with Rule 6.3. only in the following specifically listed instances:

- (1) Fires used for cooking of food or for ceremonial recreational purposes, including barbecues and outdoor fireplaces, but only if such fires are fueled for that particular purpose.
- (2) Fires set by or at the direction of responsible fire control agencies for prevention, elimination or reduction of the spread of existing fires.
- (3) Safety flares and smokeless flares, except those for the combustion of waste gases. Flares for the combustion of waste gases shall comply with applicable provisions of Section 4-8 of this chapter.
- (4) Open burning used solely for the purpose of warming persons who are out of doors performing work and conducting lawful activities, provided such fires use only clean fuel not containing garbage, rubber, plastics, roofing materials, tar paper, or other refuse.

Rule 6.6. Open burning may be permitted in the following instances, provided a written statement, such as is required in Rule 6.3(1) is filed with the director and written approval is given by the director:

- (1) Fires set for the training and instruction of public or private fire fighting personnel, including those in civil defense.
- (2) Other open burning where there is no other practical, safe and lawful method of disposal.

THIS IS THE FEDERALLY APPROVED REGULATION AS OF MAY 8, 1990

	DATE SUBMITTED to EPA	DATE APPROVED by EPA	FEDERAL REGISTER
Original Reg	JUL 20, 1989	MAY 8, 1990	55FR19066