

SECTION F-403.0 OPEN BURNING

F-403.1 General:

A person shall not cause or allow open burning unless approved in accordance with this code.

F-403.2 Definitions:

The following words and terms shall, for the purposes of this section and as stated elsewhere in this code, have the meanings shown herein.

Bonfire:

An outdoor fire utilized for ceremonial purposes.

Open burning:

The burning of any materials wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber. For the purpose of this definition, a chamber shall be regarded as enclosed, when, during the time combustion occurs, only apertures, ducts, stacks, flues or chimneys necessary to provide combustion air and permit the escape of exhaust gas are open.

Recreational fire:

An outdoor fire utilized to cook food for human consumption.

F-403.3 Allowable burning:

Open burning shall be allowed without prior notification to the code official for recreational fires, highway safety flares, smudge pots and similar occupational needs.

F-403.4 Approval required:

Open burning shall be allowed after obtaining approval from the code official for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, providing heat for outworkers, and a bonfire.

F-403.4.1 Application:

Applications for open burning shall be submitted in writing at least ten days before the fire is set and shall be in such form and contain such information as required by the code official. Such applications shall contain, as a minimum, information regarding the purpose of the proposed burning, the nature and quantities of material to be burned, the date when such burning will take place, the location of the burning site and the on-site fire-extinguishing equipment to be provided.

F-403.4.2 Authorization:

Open burning shall be permitted with prior notification to the code official and upon receipt of written permission from the jurisdictional Environmental Protection Agency (EPA) authority, provided that any conditions specified in the permission are followed for:

1. Disposal of hazardous or toxic material where the EPA determines that there is no practical alternative method of disposal;

2. Instruction in methods of fire fighting or for research in control of fires, in emergency or other extraordinary circumstances for any purpose determined to be necessary by the EPA;
3. Disposal of landscape waste, except residential and agricultural waste; or
4. Recognized agricultural or horticultural management purposes to maintain or increase the quantity or quality of agricultural or horticultural production.

Where the jurisdictional EPA written permission is not applicable, the code official shall give written permission, provided that approved fire safety requirements and emission standards will be met.

F-403.4.3 Open burning prohibited:

The code official shall prohibit open burning that will be offensive or objectionable due to smoke or odor emissions when atmospheric conditions or local circumstances make such fires hazardous. The code official shall order the extinguishment, by the permit holder or the fire department, of any open burning that creates or adds to a hazardous or objectionable situation.

F-403.5 Location:

The location for any open burning shall not be less than 50 feet (15240 mm) from any structure, and provisions shall be made to prevent the fire from spreading to within 50 feet (15240 mm) of any structure. Fires in approved containers shall be permitted, provided that such fires are not less than 15 feet (4572 mm) from any structure.

F-403.6 Materials:

Open burning shall not be utilized for waste disposal purposes, shall be of the minimum size for the intended purpose, and the fuel shall be chosen to minimize the generation and emission of air contaminants.

F-403.7 Attendance:

Any open burning shall be constantly attended until the fire is extinguished. At least one portable fire extinguisher with a minimum 4-A rating, two portable fire extinguishers with a minimum 2-A rating each, or other approved on-site fire extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.

F-403.8 Bonfire size and duration:

A bonfire shall not be more than 5 feet (1524 mm) by 5 feet (1524 mm) by 5 feet (1524 mm) in dimension and shall not burn longer than 3 hours. The maximum size and duration of a bonfire shall not be increased by the code official unless it is determined that fire safety requirements of the situation and the desirable duration of burn warrant the increase.

F-403.8.1 Material:

Fuel for a bonfire shall consist only of seasoned dry firewood and shall be ignited with a small quantity of paper. The fire shall not be utilized for waste disposal purposes, and the fuel shall be chosen to minimize the generation of air contaminants.

F-403.8.2 Permit:

All permits shall be requested by and issued to the owner of the land upon which the bonfire is to be kindled.