

PLACER COUNTY AIR POLLUTION CONTROL DISTRICT

**RULE 607 -- BURN PERMIT FEES**

*(Adopted 09-07-93) (Amended 08-13-98, 12-10-98, 08-12-99, 06-14-01)*

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**100 GENERAL**

**101 PURPOSE:** The purpose of this rule is to recover costs incurred with the implementation of burn permit issuance and other activities associated with Regulation III, and the provisions of Sections 41800 et seq. and Sections 41850 et seq. of the California Health and Safety Code.

**102 APPLICABILITY**

102.1 The provisions of this rule shall apply to any person who applies for a burn permit under the provisions of Regulation III and the provisions of Sections 41800 et seq. and Sections 41850 et seq. of the California Health and Safety Code.

102.1.1 Agricultural Field Crop Waste Burning

102.1.2 Agricultural Waste Burning Other Than Field Crop Waste

102.1.3 Fire Training Burning

102.1.4 Forest Management Burning

102.1.5 Hazard Reduction Burning

102.1.6 Land Development Burning

102.1.7 Mechanized Burners

102.1.8 Open Burning by Public Officers

102.1.9 Open Burning of Nonindustrial Woodwaste at Designated Disposal Sites

102.1.10 Permit to Burn on a No Burn Day

102.1.11 Range Improvement Burning

102.1.12 Right of Way, Levee, Ditch and Reservoir Burning

102.1.13 Wildland Vegetation Management Burning

102.2 The provisions of this rule shall apply to any person involved in a Rice Grower Transfer.

**103 EXEMPTIONS**

103.1 Exemption, Burning for Defensible Space: This rule does not apply to the burning, as defined in Subsection 207.2, of vegetation to establish a defensible space for fire protection purposes, to comply with local ordinances, such as Placer County Code Chapter 7, Article 3.

Prescribed fires for the purpose of fuel management are not considered Residential Defensible Space Burning for the purposes of this rule.

103.2 Exemption, Fire Agencies: This rule does not apply to permits issued to public Fire Agencies for burning as defined in Rule 317 - Wildland Vegetation Management Burning. This exemption is in recognition of in-kind services provided to the District pursuant to an approved memorandum of understanding.

103.3 Exemption, Fire Training Burn: This rule shall not apply to a burn permit issued for the instruction of public employees and/or volunteer personnel in the methods of fighting fires.

103.4 Exemption, Open Burning as Authorized by a Public Officer: This rule shall not apply to burning conducted by or permitted by a public officer:

103.4.1 For the prevention of a fire hazard which cannot be abated by any other means.

103.4.2 To persons engaged in the instruction of employees in methods of

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fighting fires on property used for industrial purposes.

103.4.3 Who sets, or causes to be set, backfires necessary to save life or valuable property pursuant to Section 4426 of the Public Resources Code.

103.4.4 Where disease or pest prevention exist and there is an immediate need for removal and no reasonable alternative exists.

103.5 Exemption, Recreational Open Fires: This rule shall not apply to the use of open outdoor fires for recreational purposes or for the cooking of food for human consumption.

103.6 Exemption, Residential Rubbish Burning: The provisions of this rule shall not apply to persons burning residential rubbish as defined in Rule 102, Definitions.

**104 PUBLIC AGENCIES NOT EXEMPT:** This rule shall apply to federal, state and local governmental agencies or public districts to the extent allowed under Chapter 2, Division 7, Title 1 of the Government Code (commencing with Section 6100) and Sections 42311 et seq. of Division 26 of the California Health and Safety Code.

## **200 DEFINITIONS**

For the purpose of this rule the following definitions shall apply. All other terms are as defined in Rule 102, Definitions or Regulation III - Open Burning.

**201 AGRICULTURAL FIELD CROP WASTE:** a) Unwanted or unsellable materials produced wholly from the growing and harvesting of field crops for the primary purpose of making a profit, or providing a livelihood, or the conduct of agricultural research or instruction by an educational institution; b) Materials not produced from the growing and harvesting of field crops, but which are intimately related to the growing or harvesting of field crops, such as vegetation along roadways, fence lines, irrigation ditches, field borders and levees.

**202 AGRICULTURAL WASTE OTHER THAN FIELD CROP WASTE:** a) Any unwanted or unsellable materials produced wholly from agricultural operations except field crops and materials not produced from agricultural operations, but which are intimately related to the growing or harvesting of crops; b) Materials not produced from the growing and harvesting of agricultural waste other than field crops, but which are intimately related to the growing or harvesting of crops, such as vegetation along roadways, fence lines, irrigation ditches, field borders and levees.

**203 BURN PERMIT:** A permit issued by the APCD pursuant to Rule 302 and Section 41852 of the California Health and Safety Code.

**204 BURN PLAN:** A site plan for managing a specific fire project.

**205 FIRE TRAINING BURNING:** Burning of fires ignited for the instruction of employees and/or volunteer fire personnel in the methods of fighting fires.

**206 FOREST MANAGEMENT BURNING:** As defined in Rule 102 and as regulated by Rules 316 and 317.

**207 HAZARD REDUCTION BURNING:**

207.1 Burning to reduce a fire hazard or health hazard which will have an imminent effect on life and property as determined by a Public Officer with jurisdiction.

207.2 Burning to dispose of brush cuttings on the property where the brush was grown when the cuttings resulted from brush clearance done in compliance with local ordinances to reduce fire hazard.

- 208 LAND DEVELOPMENT BURNING:** The use of open outdoor fires for the disposal of material grown on property being developed for commercial or residential purposes.
- 209 MECHANIZED BURNERS:** Burning in an enclosure for the purpose of enhancing fire temperatures and the speed and completeness of combustion.
- 210 OPEN BURNING OF NONINDUSTRIAL WOODWASTE AT DESIGNATED DISPOSAL SITES:** The use of open outdoor fires for the disposal of nonindustrial woodwaste at disposal sites.
- 211 PERMIT TO BURN ON A NO BURN DAY:** A permit issued by the APCO, or her/his designee, to burn on a day designated a no burn day as authorized by Section 41862 of the California Health and Safety Code, and Rule 306.
- 212 PROJECT:** A project consists of a parcel of land to be burned that is located in an assigned compartment number or name, unit number or name, timber harvest number or name or plan, or a result of site conversion or rehabilitation, or as determined by the Air Pollution Control Officer or her/his designee.
- 213 PUBLIC OFFICER:** A public officer is any fire, agricultural, health or a peace officer.
- 214 RANGE IMPROVEMENT BURNING:** As defined in Rule 102.
- 215 RICE GROWER/TRANSFER FEE:** A fee which applies to any rice grower who transfers, sells, or trades their annual allowable burn acres to another grower, in an inter- or intra-county transaction.
- 216 RIGHT OF WAY, LEVEE, DITCH AND RESERVOIR BURNING:** The use of fires for right-of-way clearing by a public entity or for levee, ditch or reservoir maintenance.
- 217 WILDLAND VEGETATION MANAGEMENT BURNING:** As defined in Rule 317.
- 300 STANDARDS**
- 301 BURN PERMIT FEE:** Every applicant for a burn permit shall pay a burn permit fee and any additional fees applicable under Section 302, Burn Permit Fee Schedules.
- 302 BURN PERMIT FEE SCHEDULES:**
- The following fees shall be assessed by the Placer County Air Pollution Control District.
- 302.1 Permits to burn agricultural field crop waste, as defined in Section 201, shall be assessed the fee specified in Table 607 - 302.1 of the District Fee Schedule.
- 302.2 Permits to burn agricultural waste other than field crop waste, as defined in Section 202, shall be assessed the fee specified in Table 607 - 302.2 of the District Fee Schedule.
- 302.3 Permits to conduct forest management burning, as defined by Section 206, shall be assessed the fee specified in Table 607 - 302.3 of the District Fee Schedule.

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302.4 Permits to conduct hazard reduction burning, as defined in Subsection 207.1, shall be assessed the fee specified in Table 607 - 302.4 of the District Fee Schedule.

302.5 Permits to conduct land development burning, defined under Section 208, shall be assessed the fee specified in Table 607 - 302.5 of the District Fee Schedule.

302.6 Permits to conduct mechanized burning, as defined under Section 209, shall be assessed the fee specified in Table 607 - 302.6 of the District Fee Schedule.

302.7 Permits to conduct open burning of nonindustrial woodwaste at designated disposal sites, as defined by Section 210, shall be assessed the fee specified in Table 607 - 302.7 of the District Fee Schedule.

302.8 Permits to conduct burning on a no burn day, as defined under Section 211, shall be assessed the fee specified in Table 607 - 302.8 of the District Fee Schedule.  
(This fee is in addition to the fee paid for a regular APCD Burn Permit.)  
This permit fee is to be paid in advance, and will not be refunded, regardless of whether or not the special permit to burn is approved or denied.

302.9 Permits to conduct range improvement burning, as defined by Section 214, shall be assessed the fee specified in Table 607 - 302.9 of the District Fee Schedule.

302.10 Permits to conduct right of way, levee, ditch and reservoir burning as defined by Section 216, shall be assessed the fee specified in Table 607 - 302.10 of the District Fee Schedule.

302.11 Permits to conduct wildland vegetation management burning, as defined by Section 217, shall be assessed the fee specified in Table 607 - 302.11 of the District Fee Schedule.

**303 CANCELLATION OF BURN PERMIT:** If a burn permit is canceled, the fees paid shall not be refunded nor applied to any other APCD permit except acreage fees paid may be reimbursed if the acreage has not been burned at the time the Burn Permit is canceled.

**304 PAYMENT OF BURN PERMIT FEES:** All burn permit fees shall be paid prior to the issuance of a burn permit. Application/plan review and inspection fees will be invoiced in ½ hour increments.

**305 VALIDITY OF BURN PERMITS:** A burn permit is valid for only the amount of acreage for which fees have been paid pursuant to Section 300, Standards, of this rule.

**306 TERM OF BURN PERMIT:** A burn permit, for which the applicable fees have been paid, shall be valid for 12 continuous months from the date of issuance, unless otherwise specified on the burn permit. Upon request, a permit for Forest Management Burning and Wildland Vegetation Burning may be granted a one time extension for up to 12 months duration. A Forest Management and Wildland Vegetation Management burn permit extension fee will be assessed at the end of the first 12 month permit cycle the fee specified in Table 607 - 306 of the District Fee Schedule.

**307 RICE GROWER TRANSFER FEE:** Any Rice Grower who transfers, sells, or trades her/his annual allowable burn acres to another grower, in an intercounty, or an intra county

transaction shall pay a transfer fee specified in Table 607 - 307 of the District Fee Schedule. In the case of an intercounty trade, where both parcels involved in the transfer are in Placer County, the fee shall be applicable to the donor parcel as well as the receptor parcel.

**308 HOURLY INSPECTION FEE:** A fee may be charge for any APCD Burn permit which requires an inspection. The fee assessed shall be the fee specified in Table 607 - 308 of the District Fee Schedule.

**400 ADMINISTRATIVE REQUIREMENTS**

**401 COMPLIANCE UPON ADOPTION OF RULE**

Any person, subject to this rule shall comply with all the requirements upon September 7, 1993, and thereafter.

**402 COMPLETION OF BURN PERMIT IN FULL**

All information on the burn permit application shall be completed in full.

**403 FAILURE TO PAY BURN PERMIT FEES**

Failure to pay the burn permit fees in the time frame specified, shall be subject to a late fee charge. This late charge will be 50% of the original amount billed.

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