

SHASTA COUNTY AIR QUALITY MANAGEMENT DISTRICT

RULE 2:6 - OPEN BURNING: GENERAL PROVISIONS

(Amended 7-28-87, 12-5-95, 7-17-01, 9-24-02, and 3-9-04)

- a. Definitions (Amended 3-9-04)

Burn Barrel means a metal container used to hold combustible or flammable waste materials so that they can be ignited outdoors for the purpose of disposal.

Census Zip Code means a Zip Code tabulation area, a statistical geographic entity that approximates the delivery area for a U.S. Postal Service five-digit Zip Code. Census zip codes are aggregations of census blocks that have the same predominate Zip Code associated with the mailing addresses in the U.S. Census Bureau's Master Address File. Census zip codes do not precisely depict Zip Code delivery areas, and do not include all Zip Codes used for mail delivery. For the purposes of this regulation, census zip codes are referenced to the most recent national decennial census completed by the U.S. Census Bureau.

Population Density means the number of people per square mile within a census zip code. It is calculated as the number of people within a census zip code divided by the area of the census zip code after subtracting the population and area of all incorporated places within the census zip code.

Incorporated Place means the city, town, municipality or village reported to the U.S. Census Bureau as being legally in existence under California law at the time of the most recent national decennial census completed by the U.S. Census Bureau. For the purposes of calculating population density for this regulation, incorporated places include the FIPS Place Class Codes C1, C7 and C8, as defined by the U.S. Census Bureau in Technical Documentation, Summary File 1, October 2002.

- b. A person shall not burn, allow to be burned, or allow to continue to burn any waste substance in an open outdoor fire, except:

1. Agricultural burning by an agricultural operation with a valid permit and conducted pursuant to Rules 2:7, 2:8, and 2:9. (Amended 3-9-04)

Permits shall be valid for the period specified by the issuing agency. All permits shall expire no later than the end of the calendar year.

- a) However, permits issued for agricultural burning in the growing of crops or raising of fowls or animals during the period October 1 to November 15 shall be valid only on days specified by the Air Pollution Control Officer (APCO) so as to comply with Rule 2:8.d.1.(d).
2. Burning for the disposal of wood waste from trees, vines, or bushes on property being developed for commercial or residential purposes, or for the disposal 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 hazards, when done:

- a) With a valid permit, and
- b) In compliance with District Rule 2:7, and
- c) Under the following conditions:
 - 1) In that portion of Shasta County below 1,000 feet or within the fire districts of Mountain Gate, Shasta, or Shasta Lake, burning is allowed from November 1 to April 30 when the fire is ignited between the hours of 10:00 a.m. and 3:00 p.m. Fires must be completely out by 5:00 p.m. (Amended 12-5-95)
 - 2) In the remaining portion of Shasta County above 1,000 feet, burning is allowed all year. Ignition hours shall be set by the fire agency with jurisdiction over the burn, but in no case shall ignition occur before 10:00 a.m. or after 12:00 midnight.

Permits issued pursuant to this rule shall be valid for the period as specified by the issuing agency. (Amended 12-5-95 and 7-17-01)

3. The Air Pollution Control Officer (APCO) is authorized to issue permits, valid for a period of up to one (1) year, for open outdoor fires in mechanized burners for the purpose of disposing of agricultural wastes, or wood waste from trees, vines, bushes or other wood debris free of non-wood materials, on the condition that no air contaminant is discharged into the atmosphere for a period or periods aggregating more than thirty (30) minutes in any eight-hour period that is:
 - a) As dark or darker in shade than that designated as No. 1 on the Ringelmann Chart published by the United States Bureau of Mines, or
 - b) Of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke described in (a) above.
4. The APCO is authorized to issue permits to the County of Shasta or any other city situated therein, or their agents or contractor for open outdoor fires to dispose of nonindustrial wood wastes from trees, vines, and bushes at disposal sites located above 1,500 feet elevation mean sea level when conducted pursuant to Rule 2:7 and under the following conditions:
 - a) The California Air Resources Board has approved the use of open outdoor fires at the designated disposal sites to dispose of such wood waste;

- b) A burning permit has been issued by the fire protection agency having jurisdiction over the area in which the disposal site is located;
 - c) A written statement approving such burning has been received by the Air Quality Management District (AQMD) from the owner of the land, the owner's agent, or other person lawfully in possession of the land on which the disposal site is located. (Amended 7-28-87)
5. Burning by a public entity or utility for right-of-way clearing, levee, reservoir, and ditch maintenance, when done with a valid permit and conducted pursuant to Rule 2:7.
6. Nothing in this article shall be construed as limiting the authority granted under other provisions of law to any public officers to set or permit a fire when such fire is, in their opinion, necessary for any of the following purposes:
- a) The prevention of a fire hazard that cannot be abated by any other means, when done with written authorization of such officer.
 - b) The instruction of public employees in the methods of fighting fire.
 - c) The instruction of employees in methods of fighting fire, when such fire is set, with a valid permit, on property used for industrial purposes.
 - d) The setting of backfires necessary to save life, or valuable property pursuant to Section 4426 of the *Public Resources Code*.
 - e) Disease or pest prevention, where there is an immediate need for and no reasonable alternative to burning.
7. Burning for the disposal of residential waste (defined in District Rule 1:2 as only paper, cardboard, or flammable dry natural vegetation waste originating on the premises and reasonably free of dirt, soil and visible surface moisture) from a single- or two-family dwelling in Shasta County, conducted pursuant to Rule 2:7, and under the following conditions: (Amended 7-17-01 and 3-9-04)
- a) Within the boundaries of the Shasta Lake and Cottonwood Fire Districts or the city limits of Anderson or Shasta Lake, burning is allowed from November 1 through April 30. Within the boundaries of the City of Redding and the Buckeye Fire Protection District, open burning of residential waste is allowed only during the months of November and April or as otherwise specified by the fire department (reference City of Redding Municipal Code Section 9.20.110). All fires must only be ignited between the hours of 10:00 a.m. and 3:00 p.m. Fires must be completely out by 5:00 p.m. (Amended 12-5-95 and 09-24-02)
 - b) In that portion of Shasta County below 1,000 feet or within the Fire Districts

of Mountain Gate, Shasta, or Shasta Lake, burning is allowed from November 1 to April 30 when the fire is ignited between the hours of 10:00 a.m. and 3:00 p.m. Fires must be completely out by 5:00 p.m. (Amended 12-5-95)

- c) In the remaining portion of Shasta County above 1,000 feet, burning is allowed all year. Ignition hours shall be set by the fire agency with jurisdiction over the burn, but in no case shall ignition occur before 10:00 a.m. or after 12:00 midnight. (Amended 12-5-95)
- d) See section b.2. above for permit requirement if the residential waste is derived from property being developed for commercial or residential purposes or from brush clearance projects to reduce fire hazards. (Added 7-17-01)(Amended 3-9-04)
- e) Effective January 1, 2004, no person shall dispose of residential waste as defined above from any property by burning such waste in a burn barrel or incinerator outdoors, except:
 - 1) as allowed by a current exemption provided by the California Air Resources Board in response to a resolution adopted by the District Board which must be renewed every ten years pursuant to Section 93113 (e)(10), Title 17 of the California Code of Regulations , or
 - 2) where the population density of the unincorporated area is less than or equal to 3.0 persons per square mile within the boundaries of the census zip code in the most recent decennial census, as determined by the California Air Resources Board, pursuant to Section 93113 (e)(9), Title 17, of the California Code of Regulations.

No exemption for the use of a burn barrel or incinerator shall be allowed *within the boundaries of* any incorporated place or any census zip code where the population density, according to the decennial census of 2000, is greater than 3.0 persons per square mile. (Added 3-9-04)

- f) Effective January 1, 2004, no person shall burn for the purpose of disposing of waste material outdoors at a residence, any waste or manufactured material that includes but is not limited to petroleum products and petroleum wastes, construction and demolition debris, coated wire, putrescible wastes, tires, tar, tar paper, non-natural wood waste, processed or treated wood and wood products, metals, motor vehicle bodies and parts, rubber, synthetics, plastics, including plastic film, twine, pipe, fiberglass, styrofoam, garbage, trash, refuse, rubbish, disposable diapers, ashes, glass, industrial wastes, manufactured products, equipment, instruments, utensils, appliances, furniture, cloth, rags, paper or paper products, cardboard, boxes, crates,

excelsior, offal, swill, carcass of a dead animal, manure, human or animal parts or wastes, including blood, and fecal- and food-contaminated material, except:

that dry non-glossy paper and cardboard may be burned where the population density of the unincorporated area is less than or equal to 3.0 persons per square mile within the boundaries of the census zip code. (Added 3-9-04)

g) Effective January 1, 2004, no person shall ignite, or allow to become ignited, residential waste as defined above unless using an instrument or material that will ignite open fires without the production of black smoke by the ignition device, as approved by the APCO. (Added 3-9-04)

8. Open outdoor fires used only for cooking food for human beings or for recreational purposes.

c. Permissive or No-Burn Days:

The Shasta County AQMD may declare No-Burn Days in addition to those so declared by the California Air Resources Board.

In cooperation with the designated fire protection agencies, the Shasta County AQMD, upon a recommendation of the Air Pollution Control Officer (APCO), may designate any period other than those periods as specified in these Regulations in which land clearing, fire hazard reduction, or residential open burning may occur.

It is the intent of this rule not to permit open burning on days when such open burning is prohibited by fire protection agencies for purposes of fire control or prevention.
(Amended 7-28-87 and 3-9-04)