



## SECTION 202.006 OUTSIDE FIRES

### PURPOSE

This procedure is written to assist company officers in identifying illegal open burning within the City of Fresno.

### APPLICATION

This policy should be used to determine if an outside fire may be allowed by a company officer.

### OPERATIONAL POLICY

No open burning is permitted within the Department's response area with the following exceptions:

1. Open burning with an operational permit from the City of Fresno, in accordance with *Fresno Municipal Codes (FMC)* and the *San Joaquin Valley Air Pollution Control District (SJVAPCD)*.
2. Open outdoor fires used solely for the purpose of cooking food for human consumption, campfires, and religious ceremonial fires, where the combustible material is clean, dry wood or charcoal, in accordance with SJVAPCD, RULE 4103, OPEN BURNING 4.1.1.

In any case, such fires shall not be allowed if found to be offensive or objectionable because of smoke emissions or when atmospheric conditions or local circumstances make such fires hazardous. (FMC Section 10-50307.1.1, Prohibited Open Burning).

Company officers are authorized to order or effect the immediate extinguishment of any open burning when in the opinion of the fire code official or designee it is reasonably **necessary for safety and protection of life and health** and may issue administrative citations and seek to recover costs in accordance with FMC Sections 10-50112.4, Violation Penalties, and 10-50112.5, Cost Recovery.

### Fruit Stands

Fruit stands are not allowed to burn for any reason. Wood burning heating devices such as wood stoves, portable fireplaces, chimaeas, burn barrels, or incinerators are prohibited. Propane-fired or electric heaters are recommended by fire protection agencies.

### Retail Sales Lots

Retail sales lots are not allowed to burn for any reason. Wood burning heating devices such as wood stoves, portable fireplaces, chimaeas, burn barrels, or incinerators are prohibited. Propane-fired or electric heaters are recommended by fire protection agencies.

### Christmas Tree Farms/Lots

Christmas tree lots are not allowed to burn for any reason. Wood burning heating devices such as wood stoves, portable fireplaces, chimaeas, burn barrels, or incinerators are prohibited. Propane-fired or electric heaters are recommended by fire protection agencies.

### Penalties

*California Health and Safety Code* (H&S), Section 42403 gives the local air agency the authority to recover penalties, and it provides instruction on how to assess penalties. H&S allows maximum penalties as high as \$10,000 per violation per day.

The District will determine penalties utilizing supporting documents which may include company officers' reports and photographs. Incident reports shall include the following information:

1. Date, time, and location of burn
2. Size of burn
3. Type of material
4. Names of individuals involved

## **OPERATIONAL GUIDELINE**

Open outdoor fires used solely for the purpose of cooking food for human consumption, campfires, and religious ceremonial fires, where the combustible material is clean, dry wood or charcoal are permitted as long as they are attended and a safe distance from buildings, combustibles and/or vegetation.

Any unattended open outdoor fires shall be extinguished.

## **PROCESS**

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## **INFORMATION**

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## **DEFINITIONS**

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## **CROSS-REFERENCES**

### *Fresno Municipal Code (FMC)*

- Section 10-50105.6.32, Open Burning
- Section 10-50307.1.1, Prohibited Open Burning
- Section 10-50112.4, Violation Penalties
- Section 10-50112.5, Cost Recovery

### *San Joaquin Valley Air Pollution Control District Policies (SJVAPCD)*

- Rule 4103 - Open Burning
- Warming Fires
- Campfires
- Fruit Stands
- Retail Sales Lots
- Christmas Tree Farms/Lots
- Penalties

### *California Health and Safety Code (H&S)*

- Section 42403