

Boles Fire Protection District of Franklin County, Missouri

2731 Hwy T
Labadie, Missouri 63055

Open Burning Rules and Regulations

F-307 Open Burning and Recreational Fires (Page 46) delete in its entire and insert the following sections:

F-307.1 General (Page 46) Delete in its entirety and insert the following new section:

No person shall cause or allow open burning unless approved in accordance with the Fire Prevention Code of the Boles Fire Protection District.

F-307.2 Allowable Burning: (Page 47) Delete and insert the following:

Open Burning shall be permitted without prior notification to the Fire Marshal's Office, for highway safety flares, smudge pots, similar occupational requirements, barbecuing, and like activities.

F-307.3 Permit Required: (Page 47) Delete and insert the following:

Open burning shall be permitted, upon obtaining a burning permit from the Fire Marshal's Office, for recognized civil and or cultural events, range or wildlife management practices, prevention or control of disease and pests, land clearing, destruction debris, providing heat for outdoor workers, recreational bonfires, and Air Curtain Destructors (ACD).

F-307.3.1 Application for Burning Permit: (Page 47) Insert the following new section:

An Application for a Burning Permit shall contain the following information: the name of person burning, address, and location of burning, telephone number, date the permits expires, authorized signature and signature of responsible party. Application for an ACD permit must be accompanied with a permit from the **Department of Natural Resources**.

F-307.3.2 Authorization: (Page 47) Insert the following new section: (This Area for Class)

Open burning shall be permitted after proper authorization is given by the Fire Marshal or his designate. Special permission must be given by the Environmental Protection Agency (EPA)/Department of Natural Resources (DNR), and the Department of Conservation provided that any conditions specified in the permit are as follows:

1. Disposal of Hazardous or Toxic material where the EPA/DNR 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 EPA/DNR.
3. Disposal of landscape waste except residential and agricultural waste.
4. Recognized agricultural or horticultural management purposes to maintain or increase the quantity or quality of agricultural or horticultural production.

Where the jurisdictional EPA or DNR written permission is not applicable, the Fire Marshal shall give written permission provided that approved fire safety requirements are observed.

Any land owner wanting to do a managed burn will need to attend a class put on by the Department of Conservation. A copy of the certificate of completion will need to be submitted at the time of the permit request.

F-307.3.2.1 Extinguishment Authority (Page 47) insert the following:

When open burning creates or adds to hazardous situation, or a required permit for open burning has not been obtained, the fire marshal or his designee is authorized to order the extinguishment of the open burning operation.

F-307.4 Open Burning Prohibited: (Page 47) Delete and insert the following:

The Fire Marshal 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 Fire Marshal shall order the extinguishment, by the permit holder or the Fire Protection District, of any open burning when the wind speed is 10 miles per hour or higher and when the humidity is 50 percent or lower, or when the burning creates or adds to a hazardous or objectionable situation.

Exception: Prescribed burning for the purpose of reducing the impact of wildland fire when authorized by the Fire Marshal.

F-307.4.3 Portable Outdoor Fireplaces (Page 47) delete and its entirety and insert the following:

Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet (3048mm) of a structure of combustible material. Portable outdoor fireplaces shall not be used for burning trash, rubbish, or food waste.

F-307.5 Permit Fees: (Page 47) Delete in its entirety and insert the following new section:

All permit fees shall be paid to the Boles Fire Protection District of Franklin County, Missouri provided by Section F-113.2, Table F-113.2 "Fees of the District" in this Ordinance.

F-307.6 Location: (Page 47) Insert the following new section:

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

F-307.7 Materials: (Page 47) Insert the following new section:

Open burning shall not be utilized for waste disposal purposes, or for the following materials; household trash, rubber, tires, shingles, vinyl siding, treated lumber, or any other petroleum based products. The fuel shall be chosen to minimize the generation of air contaminants.

F-307.8 Attendance: (Page 47) Insert the following new section:

Any open burning shall be constantly attended until the fire is extinguished. A minimum of One (1) Portable Fire Extinguisher with a minimum 4-A rating, Two (2) Portable Fire Extinguishers with a minimum of 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 in the event of an emergency.

F-307.9 Duration of Burning: (Page 47) Insert the following new section:

All burning operations shall be from the hours of 10:00 am to 4:00 p.m.

F-307.10 Season: (Page 47) Insert the following new section:

The burning season shall exist from September 16 through April 14 of each year. Burning season can be extended only if approved by the Department of Natural Resources (DNR)

F-307.11 Recreational Bonfire Size: (Page 47) Insert the following new section:

A Bonfire shall not be more than four (4) feet by (4) feet by four (4) feet in height. The maximum size of a recreational bonfire shall not be increased unless the bonfire is determined to meet other safety requirements to permit such increase.

F-307.11.1 Duration of Bonfire: (Page 47) Insert the following new section:

The duration of a bonfire shall be no greater than six (6) hours.

F-307.11.2 Location: (Page 47) Insert the following new section:

The location for any recreational bonfire shall be no less than twenty five (25) feet from a structure, and provisions shall be made to prevent the fire from spreading to within ten (10) feet of a structure. A fire in an approved container shall be permitted, provided that such fire is not less than twenty-five (25) feet from any structure.

F-307.11.3 Material: (Page 47) Insert the following new section:

Fuel for a bonfire shall consist only of untreated wood and may be ignited with a small quantity of paper. The fire shall not be utilized for waste disposal purposes.

F-307.12 Permits: (Page 47) Insert the following new section:

Before a permit can be issued for an ACD (Air Curtain Destructor) a copy of the permit must be submitted from the Department of Natural Resources. All rules noted on the permit must be followed along with the regulations issued by the Department of Natural Resources.

F-307.12.1 Burning Location for ACD'S: (Page 47) Insert the following new section:

The pit should not be any closer than 200 feet from any structure.

F-307.12.2 Pits for Air Curtain Destructor (ACD): (Page 47) Insert the following new section:

The pit dimensions shall be a maximum of eight (8) feet to ten (10) feet in width. The length shall be the same as the blower. Both ends must be blocked off square. The ACD must be angled properly (airflow directed downward at an approximate thirty (30) degree angle while operating). The material being burned shall not be loaded into the pit above the Height of the Airflow. Each pit must be inspected by the Fire Marshal's Office before any burning may occur.

F-307.12.3 Materials: (Page 47) Insert the following new section:

ACD's shall not be utilized for waste disposal purposes, or disposal of the following materials: household trash, rubber, tires, shingles, vinyl siding, treated lumber, leaves and cedar trees or any material as determined by the Fire Marshal. The fuel shall be chosen to minimize the generation of air contaminants.

F-307.12.4 Closing of Burn Pit: (Page 47) Insert the following new section:

Not later than 4:00 p.m. the burn pit must be covered with a minimum of two (2) feet of fill and packed with heavy equipment being utilized with the burning operation until smoke is no longer visible.

F-307.13 Open-Flame Cooking Devices/Outdoor Wood Burning Appliances: (Page 47) Insert the following new section:

Charcoal burners, other open flame cooking devices and outdoor wood burning appliances, shall not be operated on combustible balconies or within 10 feet of combustible construction.

Exception:

1. One and two family dwellings.
2. Where building and decks are protected by an automatic sprinkler system.

F-307.13.1 Liquefied-Petroleum-Gas – Fueled Cooking Devices: (Page 47) insert the following new section:

LP-gas burners (barbecued grills) shall not be located on combustible balconies or within 10 feet of combustible construction.

Exception:

1. One and two family dwellings.

F-308.1.6.3 Sky Lanterns (Page 48) insert the following new section:

No person shall release or cause to be released a sky lantern or other type of unmanned device that relies on an open flame to heat the air inside the device in order to make the device airborne.



Facts on Open Burning Under Missouri Regulations

Open burning is the burning of any materials in which air contaminants are emitted directly into the air without first passing through a stack or chimney. This fact sheet summarizes allowable and prohibited open burning under Missouri regulations. It does not include open burning restrictions that city or county governments may impose in addition to Missouri's state regulations. Prior to conducting any open burning, businesses and citizens should contact the city or county of jurisdiction for any local restrictions.

The open burning of certain trade wastes and tires is prohibited because the toxic emissions that can be released are harmful to human health. Smoke from fires also typically produces large amounts of small particulate matter that can be inhaled, causing respiratory problems. The burning of common household trash, including paper products and food wastes, can also have severe consequences. Studies have indicated the open burning of an individual household's trash could release pollutants in higher levels than the burning of the trash of thousands of homes by a municipal waste incinerator because the lower combustion temperatures prevent complete incineration. These pollutants can include dioxins, volatile organic compounds, acetaldehyde, formaldehyde, hydrogen chloride and naphthalene. Open burning exposes individuals to toxic emissions that may irritate the eyes, skin and upper respiratory tract. The central nervous system can also be affected causing headaches, dizziness and fatigue.

Because of these potential dangers, the Missouri Department of Natural Resources strongly discourages open burning of any material prior to investigating alternatives. Some rural areas can participate in a "green box" service, which provides a trash collection point near a centrally located county road for local residents to use. Green boxes are usually picked up or emptied once a week. Other options include waste disposal services, waste diversion, recycling and composting. Contact your local Solid Waste Management District for assistance in implementing these safer alternatives to open burning.

Prohibited Open Burning Under State Regulation

Any waste generated by a business, trade, industry, salvage or demolition operation cannot be burned without a permit issued by the Department of Natural Resources or its delegated local agency. Permits will only be considered for untreated wood wastes. Wastes that may not be burned include but are not limited to tires, rubber products, hazardous materials, styrofoam, plastics, petroleum based products, demolition waste, treated wood and any asbestos-containing material.

To obtain a burn permit please call:

**Boles FPD Admin Office at 742-2515 Monday - Friday 10am - 4pm OR
Franklin County Sheriffs Office non-emergency 583-2567 Weekends**

Allowable Open Burning Under State Regulations

Note: Local governments may have stricter laws and policies

Open Burning of Household Refuse

General Provisions: Missouri allows open burning of household refuse from four dwelling units or less provided it originates and is burned on the same premises. This exemption does not apply to mobile home parks or apartment complexes. Residential waste is solid waste produced by routine household activities, such as paper waste and garbage from daily activities. This does not include home remodeling wastes, wastes from home businesses, durable goods such as old appliances, carpets or furniture, tires or other nonroutine household waste. Materials such as tires or used oil may not be used to start the fires or be burned in the fires.

Kansas City and St. Joseph metropolitan areas: Open burning is allowed provided it occurs within an area zoned for agricultural purposes and outside the portion of the metropolitan areas surrounding the corporate limits of Kansas City and St. Joseph and their bordering municipalities.

Outstate area: No special day, time or location restrictions.

Springfield-Greene County area: Open burning is allowed provided that burning takes place outside the corporate limits of Springfield and only within areas zoned A-1, Agricultural District.

St. Louis metropolitan area: Open burning of household refuse is prohibited in the St. Louis metropolitan area.

Open Burning of Yard Wastes

General Provisions: Missouri allows open burning of yard wastes from sites provided it originates and is burned on the same premises. Materials such as tires or used oil may not be used to start the fires or be burned in the fires. Yard waste includes trees, tree leaves, brush or other vegetation.

Kansas City metropolitan area: Open burning of trees, tree leaves, brush or any other type of vegetation requires an open burning permit.

St. Joseph metropolitan area: Open burning of residential yard wastes is allowed only during a three week period in spring and during a three-week period in fall between 10 a.m. and 3:30 p.m. The two, three-week periods are to be determined by the city along with state agencies and the state fire marshal.

Outstate area: No special day, time or location restrictions.

Springfield-Greene County area: Open burning of trees, brush or any other type of vegetation requires an open burning permit. The open burning of leaves is prohibited.

St. Louis metropolitan area: Open burning of trees, tree leaves or brush is allowed only in areas outside of incorporated municipalities from Sept. 16 to April 14 of each calendar year. These brush piles are limited to a base of 16 square feet and the burning is allowed from 10 a.m. through 4 p.m.

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Franklin County Sheriffs Office non-emergency 583-2567 Weekends**

Open Burning for Fire Training Purposes

Missouri allows fires set for the purpose of training fire fighters provided they are conducted in accordance with National Fire Protection Association Standards 600 and 1403. Timely notification should be provided to the appropriate regional office or delegated local agency.

All fire training exercises involving donated or acquired structures must be conducted in compliance with 40 CFR part 61 subpart M, *National Emission Standard for Hazardous Air Pollutants-Asbestos*. The use of donated or acquired structures for training is discussed in Publication 2029. All petroleum based products and asbestos containing materials must be removed from donated or acquired structures prior to any burning.

Open Burning in Agricultural, Natural Resource or Land Management Operations

Missouri allows agricultural burning throughout the state. However, several exceptions apply. Materials such as tires or used oil may not be used to start the fires or be burned in the fires. Any burning that creates a health hazard, nuisance or produces smoke that impairs visibility for those operating motor vehicles or airplanes is prohibited. Contact the St. Louis Regional Office before burning in the St. Louis metropolitan area from April 15 to Sept. 15. Botanical nursery operations (greenhouses) are not considered agricultural operations.

Open Burning in Land Clearing Operations

Open burning of tree trunks, tree limbs and vegetation from land clearing operations is allowed without an ACD or permit in the outstate area if the burning takes place outside the city limits of any incorporated area or municipality and at least 200 yards from the nearest inhabited dwelling. Materials such as tires or used oil may not be used to start the fires or be burned in the fires. Permits containing special conditions may be issued by regional offices or local agencies for sites unable to comply with the requirements above. See the Required Open Burning Permits section below for exceptions in the Springfield-Greene County area, and Kansas City and St. Louis Metropolitan areas.

Open Burning at Wood Processing Facilities

Open burning of untreated wood waste from wood processing facilities is allowed if production is less than 8,000 board-feet per day and the facility was in existence as of March 25, 1976, but has not relocated to a new site. The burning also must be done at least 200 yards from the nearest occupied structure.

Open burning of untreated wood waste from wood processing facilities is allowed if production is less than 8,000 board-feet per day and the facility has relocated or from new wood processing facilities not in existence as of Sept. 18, 1970, and the facility and the burning are at least one mile outside city limits. The burning also must be done at least 200 yards from the nearest occupied structure.

Open Burning for Recreational Purposes

Campfires and other fires used solely for recreational purposes, ceremonial occasions or for outdoor noncommercial preparation of food are allowed in Missouri. Fires shall include only vegetative woody materials or untreated wood products.

Required Open Burning Permits

The open burning of certain trade wastes, primarily untreated wood wastes such as pallets or crates, throughout the state, and vegetation from land clearing operations in the Springfield-Greene County area and the Kansas City and St. Louis Metropolitan areas, may be permitted only when it can be shown that open burning is the only feasible method of disposal and that disposal is in the public interest. In the St. Louis nonattainment area, permits will not be issued

unless it can be shown that emissions from open burning would be less than any other waste management or disposal method. The open burning permit requires the facility, in most cases, to use an air curtain destructor.

Commercial and municipal utility tree trimming operations must submit a request to the appropriate regional office for an annually renewable open burning permit. The request must describe the general size, condition and age of the tree trunks and tree limbs to be open burned. Air curtain destructors are generally required at dedicated sites where burning occurs.

Commercial and municipal utility tree trimming operations must submit an application for an open burning permit to the appropriate regional office or local agency.

The information provided in this fact sheet should not be construed to permit open burning that causes or constitutes a public health hazard, nuisance or a hazard to vehicular or air traffic or violates any other rule or statute.

Definitions

St. Louis metropolitan area: The geographical area comprising St. Louis, St. Charles, Jefferson and Franklin Counties and the city of St. Louis. These counties are also currently a nonattainment area for ground-level ozone.

Springfield-Greene County area: The geographical area contained within Greene County.

Kansas City metropolitan area: The geographical area comprising Jackson, Cass, Clay, Platte, Ray and Buchanan counties.

Outstate area: The geographical area comprising those counties not contained in the St. Louis metropolitan area, the Springfield-Greene County area or the Kansas City metropolitan area.

Air Curtain Destructor: An air pollution control device designed to increase burning efficiency, reducing air contaminant emissions during open burning.

Open Burning Permit: A permit that must be applied for and then granted in order to open burn or open burn with restrictions. Permit applications must be sent to the Regional Office or local agency that has jurisdiction over your area. Applications are available at www.dnr.mo.gov/forms or any regional or local agency office.

Untreated Wood: Lumber and other wooden materials that have not been chemically treated for resistance to moisture, fire, fungi, insects and other pests or has not otherwise been treated or manufactured with chemicals, or that does not contain adhesives or resins. Untreated wood does not include plywood, particleboard, chipboard or wood with other than minimal amounts of paint, coating or finish.

For More Information

Missouri Department of Natural Resources
Air Pollution Control Program
P.O. Box 176, Jefferson City, MO 65102-0176
1-800-361-4827 or (573) 751-4817 office
(573) 751-2706 fax
www.dnr.mo.gov/env/apcp/index.html

Missouri Department of Natural Resources
Solid Waste Management Program
P.O. Box 176, Jefferson City, MO 65102-0176
1-800-361-4827 or (573) 751-5401 office
(573) 526-3902 fax
www.dnr.mo.gov/env/swmp/index.html

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