



Sapulpa Fire Department

800 E. Dewey
Sapulpa, Oklahoma 74066
Phone: 918-224-3359
Fax: 918-224-3397

Control Burn Application

Date of Application: _____

Proof of property ownership and available insurance must be attached, a deed and homeowners/commercial insurance policy listing the property and individual as a covered insured

Permit Holder's Name: _____ Phone #: _____

Property Owners Name: _____ Phone #: _____

Street Address: _____

Location of proposed burn if not at same address: _____

Date of Proposed Burn (72 Hour Period) _____

____ Non-Commercial Residential Burn Permit (\$20.00 Non-Refundable Fee)

____ Commercial Pit Burn Permit (\$200.00 Non-Refundable Fee)

*The permit holder and property owner affirm, being of lawful age, the information contained herein is correct and agree to abide by all the rules and regulation adopted by the City of Sapulpa for open burning. The permit holder and property owner hereby release and discharge the City of Sapulpa, its officers and employees from all liability, responsibility, detriment and damage of every kind resulting from or which may arise by reason of the burning or destruction of said structure, building, or rubbish upon the described premises. **Permit holder and property owner shall be responsible for contacting the Sapulpa Fire Department at (918) 224-3359 prior to the ignition of a controlled burn fire.***

Permit Holders Signature: _____ Date: _____

Property Owners Signature: _____ Date: _____

Fire Marshal's Recommendation: Approve _____ Deny _____ If approved, dates for approved burn: _____

If denied, state reason: _____

Fire Marshal or designee Signature: _____ Date: _____

SECTION 13-111 PERMIT REQUIREMENTS

An adult person within the city limits may burn permissible materials only from **sunrise to sunset** provided the following conditions are met:

- A. **Any burning must occur during daylight hours on a lot of at least 100 feet by 50 feet in dimension and must occur on a non-combustible surface or in a non-combustible container which is no closer than 50 feet to any structure other than a structure owned by the permit holder burning said materials. The amount of permissible materials to burn shall not exceed in size a 5 foot by 5 foot by 5 foot dimension and no burning shall be allowed during a time when wind conditions exceed 10 miles per hour.** In addition, commercial pit burning shall be allowed only under the following conditions: (i) any such burning must occur on a lot of at least 1 acre or more in a fire pit located no closer than 300 feet to any structure other than a structure owned by the permit holder burning said materials, (ii) blowers must be used to accelerate the rate of combustion; and (iii) compliance with the following provisions.
- B. The person shall obtain a permit from the City at a cost set forth in the Master Fee Schedule, said permit identifying the adult in charge of this use by name and address, and also identifying the proposed location on the permit holder's property. No application shall be approved unless applicant produces documentation of ownership of the site location and proof of insurance on the property where the controlled burn will take place. All applications for said permits shall be made available and accepted at the Sapulpa Fire Department Central Station on Monday thru Friday, 8:00 a.m. to 12:00 p.m. and 1:00 p.m. to 4:00 p.m. and are valid only for 72 hours following approval from the Fire Marshal's office. No permits will be issued after 4:00 p.m. (Ord. No. 2703, 09/15/14.)
- C. The adult permit holder in charge of the use must be physically present during the controlled burn and have the permit available for examination by any law enforcement officer or fire department personnel. Adequate fire extinguishing equipment shall be on-site and available for immediate use by the person at all times during the controlled burn.
- D. Notwithstanding the issuance and approval of any permit, the Fire Marshal retains the authority to prohibit, delay or cancel any open burning if atmospheric conditions or local circumstances make such burning hazardous, offensive or objectionable.
- E. No offsite materials shall be burned on any site for commercial purposes unless the site has been approved as a commercial pit burn.
- F. No more than 4 residential burn permits may be issued for any one site during a calendar year period and at least thirty (30) days must exist between expiration and issuance of any permits."

SECTION 13-112 LIABILITY FOR BURNING

Any person engaged in the actual burning of materials pursuant to this article shall at all times remain liable for any damages, injuries or other consequences which may result from such conduct; the City does not assume any responsibility and hereby disclaims any and all liability for any claims or damages that may result from such conduct even when conducted in compliance with these provisions.

SECTION 13-113 PENALTY.

Failure to comply with any of the foregoing provisions of this Chapter and/or any violation thereof shall constitute an offense punishable under Section 1-108 of the Code. Each day any such provision is violated shall constitute a separate offense.

SUBCHAPTER 13. OPEN BURNING

Section

- 252:100-13-1. Purpose
- 252:100-13-2. Definitions
- 252:100-13-3. Scope [REVOKED]
- 252:100-13-4. Effective date [REVOKED]
- 252:100-13-5. Open burning prohibited
- 252:100-13-6. Salvage operations utilizing open burning prohibited [REVOKED]
- 252:100-13-7. Allowed open burning
- 252:100-13-8. Use of air curtain incinerators
- 252:100-13-9. General conditions and requirements for allowed open burning
- 252:100-13-10. Disaster relief
- 252:100-13-11. Responsibility for consequences of open burning

252:100-13-1. Purpose

The purpose of this Subchapter is to control the open burning of refuse and other combustible materials.

252:100-13-2. Definitions

The following words and terms, when used in this Subchapter, shall have the following meaning, unless the context clearly indicates otherwise:

"Air curtain incinerator," "air curtain destructor," or "open pit incinerator" means an incineration unit operating by forcefully projecting a curtain of air across an open, integrated combustion chamber (fire box) or open pit or trench (trench burner) in which combustion occurs.

"Clean lumber" means wood or wood products that have been cut or shaped and include wet, air-dried, and kiln-dried wood products. Clean lumber does not include wood products that have been painted, pigment-stained, or pressure-treated by compounds such as chromate copper arsenate, pentachlorophenol, and creosote, or manufactured wood products that contain adhesives or resins (e.g., plywood, particle board, flake board, and oriented strand board).

"Combustible materials" means any substance which will readily burn and shall include those substances which, although generally considered incombustible, are or may be included in the mass of the material burned or to be burned.

"Domestic refuse" means combustible materials or refuse that normally result from the function of life at a residence, such as kitchen garbage, untreated lumber, cardboard boxes, packaging, clothing, grass, leaves, and branch trimmings. It does not include such things as tires, non-wood construction debris, furniture, carpet, electrical wire, and appliances.

"Fire training" means a fire purposely set as part of an organized program of drills for the training of firefighting personnel or for testing firefighting materials or equipment, which is part of a recognized training program.

"Human-made structure" means any structure constructed with the intent of providing shelter to persons or property. It does not include structures constructed specifically for live-burn fire training purposes.

"Land clearing operation" means the uprooting, cutting, or clearing of vegetation in preparation for the construction of buildings, the development of residential, commercial, agricultural, or industrial properties, and for the construction and maintenance of right-of-ways. It does not include the clearing of vegetation such as trimmings, fallen limbs, branches, or

leaves, or other wastes from routine property maintenance activities, or the removal or destruction of human-made structures.

"Metropolitan Statistical Area" or "MSA" means a core area containing a substantial population nucleus, together with adjacent communities having a high degree of economic and social integration with that core, as defined by the federal Office of Management and Budget.

"Open burning" means the burning of combustible materials in such a manner that the products of combustion are emitted directly to the outside atmosphere.

"Ozone Watch" means an announcement by the DEQ that the ozone concentrations in the watch area are forecasted to exceed the National Ambient Air Quality Standard. The Ozone Watch applies to the day following the announcement.

"Particulate Matter Watch," or "PM Watch" means an announcement by the DEQ that the particulate matter concentrations in the watch area are forecasted to exceed the National Ambient Air Quality Standard. The PM Watch applies to the day following the announcement.

"Products of combustion" means all particulate and gaseous air contaminants emitted as a result of the burning of refuse and combustible materials.

"Refuse" means garbage, rubbish, domestic refuse and all other wastes generated by a trade, business, industry, building operation, or household.

"Wood waste" means untreated wood and untreated wood products, including tree stumps (whole or chipped), trees, tree limbs (whole or chipped), bark, sawdust, chips, scraps, slabs, millings, and shavings. Wood waste does not include:

- (A) Grass, grass clippings, bushes, shrubs and clippings from bushes and shrubs from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands.
- (B) Construction, renovation, or demolition wastes.
- (C) Clean lumber.
- (D) Treated wood and treated wood products, including wood products that have been painted, pigment-stained, or pressure treated by compounds such as chromate copper arsenate, pentachlorophenol, and creosote, or manufactured wood products that contain adhesives or resins (e.g., plywood, particle board, flake board, and oriented strand board).

"Yard brush" means cut or broken branches, leaves, limbs, shrubbery, or tree trimmings. It does not include refuse, grass clippings, in-ground tree stumps, or any non-vegetative material.

252:100-13-3. Scope [REVOKED]

252:100-13-4. Effective date [REVOKED]

252:100-13-5. Open burning prohibited

The open burning of refuse and combustible materials is prohibited unless conducted in strict accordance with the conditions and requirements contained in OAC 252:100-13-7, 252:100-13-8, and 252:100-13-9. Except as allowed in 252:100-13-8 (1), no person shall accept any material owned by other persons nor transport combustible material from where it is generated to another location in order to perform open burning. Under no circumstances shall the open burning of tires be allowed.

252:100-13-6. Salvage operations utilizing open burning prohibited [REVOKED]

252:100-13-7. Allowed open burning

When not prohibited by law or ordinance, the following types of burning are allowed, provided the conditions and requirements in OAC 252:100-13-9 have been met:

- (1) **Fire training.** Open burning of human-made structures for the purpose of municipal fire department training is allowed as provided for in the Oklahoma Clean Air Act, 27A O.S., Section 2-5-106.1. Industrial and commercial facilities and fire training schools may conduct on-site live burn fire training.
- (2) **Elimination of hazards.** Provided prior authorization is obtained from the local fire chief, open burning is allowed for the elimination of:
 - (A) A fire hazard that cannot be abated by any other means.
 - (B) A dangerous or hazardous material when there is no other practical or lawful method of abatement or disposal, if authorization is also received from the DEQ prior to such burning.
- (3) **Recreational and ceremonial fires.** Open burning is allowed for camp fires and other fires used solely for recreational purposes, ceremonial occasions, or non-commercial preparation of food.
- (4) **Land management and land clearing operations.** Open burning is allowed for the following land management and land clearing operations:
 - (A) Fires purposely set to forest, crop or range lands for a specific reason in the management of forests, crops, or game, in accordance with practices recommended by the Oklahoma Department of Wildlife Conservation, the Oklahoma Department of Agriculture, Food, and Forestry, and the United States Forest Service.
 - (B) Fires purposely set for land clearing operations if conducted at least 500 feet upwind of any occupied residence other than those located on the property on which the burning is conducted. Such burning shall be conducted using an air curtain incinerator in counties or areas that are or have been designated nonattainment, or in the two MSAs with a population of greater than nine hundred thousand. The Oklahoma City MSA consists of Canadian, Cleveland, Grady, Lincoln, Logan, McClain, and Oklahoma Counties. The Tulsa MSA consists of Creek, Okmulgee, Osage, Pawnee, Rogers, Tulsa, and Wagoner Counties.
- (5) **Burning of domestic refuse.** Where no collection and disposal service is reasonably available, domestic refuse may be burned on the property where the waste is generated.
- (6) **Hydrocarbon burning.** Open burning of hydrocarbons is allowed for:
 - (A) The disposal of spilled hydrocarbons or the waste products of oil exploration, development, refining, or processing operations which cannot be feasibly recovered or otherwise disposed of in a legal manner. Notice must be given to the DEQ prior to such burning.
 - (B) The disposal of waste hydrocarbons through a flare. The owner or operator shall be required to use a smokeless flare if a condition of air pollution is determined to exist by the DEQ.
- (7) **Yard brush.** Yard brush may be burned on the property where the waste is generated.

252:100-13-8. Use of air curtain incinerators

Except for hazardous material, any combustible material or refuse that is allowed to be burned under this Chapter may be burned in an air curtain incinerator that is properly designed and operated for the control of smoke and particulate matter. The owner or operator of an air curtain incinerator shall not accept any material owned by other persons and shall not transport

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Open Burning & You

What is open burning?

Open burning is the burning of combustible materials in such a manner that the products of combustion are emitted directly to the atmosphere. The Oklahoma Department of Environmental Quality (DEQ) has rules that address open burning and clearly identify when it is permissible and under what conditions.

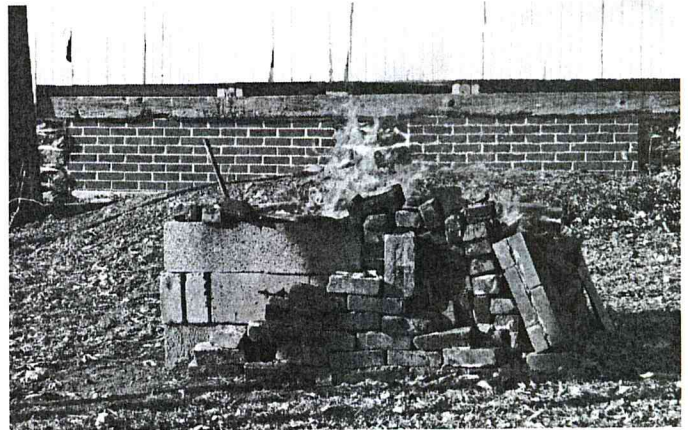
Open burning is prohibited in most situations because it can cause air pollution, which can be harmful to human health and the environment.

How does open burning affect public health?

Open burning produces smoke, a complex mixture of gases and fine particles. The biggest health threat comes from the fine particles that can get into your eyes and respiratory system. When inhaled, these particles can accumulate in the respiratory system causing persistent coughs, wheezing, and physical discomfort and can aggravate existing respiratory diseases such as asthma and chronic bronchitis. Older adults, children, and people with heart or lung disease are more susceptible.

How does open burning affect the environment?

Chemicals contained in smoke, when mixed with rainwater, can speed up the deterioration of man-made materials such as concrete, metal products and paint. Open burning of rubber, plastic



and other materials is prohibited because it can produce hazardous air pollutants such as dioxins, polycyclic aromatic hydrocarbons, formaldehyde, and hydrochloric acid. (See <http://www.epa.gov/epawaste/nonhaz/municipal/backyard/>)

Is open burning prohibited?


The open burning of refuse and combustible materials is prohibited unless conducted in strict accordance with DEQ rules. The open burning of tires is not allowed. No person shall accept and or transport combustible material to property other than where it is generated in order to perform open burning, (except as stated in #9 under permissible open burning).

Examples of when open burning is prohibited

- ⌋ Burning your household trash when you DO have trash collection service available
- ⌋ Burning tires
- ⌋ Burning during a burn ban declared by the Governor or local government official.

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- ⌋ Burning during a county or state declared burn ban or when an Ozone Watch or Particulate Matter Watch is declared for the county in which the burn is to be conducted. (See www.deq.state.ok.us. The DEQ website will contain the message “No Ozone or PM Watch in Effect”, or it will contain the Icon . If you click on the icon, you will go to a page that provides the details of what counties are covered by the Watch.)

Is open burning permissible, and if so, under what circumstances?

The following is a list of ten (10) situations where open burning is allowable.

- 1.) Fires purposely set for the instruction and training of fire-fighting personnel, with approval from DEQ (form to complete).
- 2.) Fires set for the elimination of a fire hazard and the removal of dangerous or hazardous materials, when there is no other option and you obtain prior approval from DEQ.
- 3.) Campfires, ceremonial, or outdoor fires for non-commercial food preparation.
- 4.) Fires purposely set to forest, crops, or range land for the management of forests or wildlife.
- 5.) Land clearing or right-of-way maintenance. In Oklahoma City or Tulsa Metropolitan Statistical Areas (MSAs), you must use an Air Curtain Incinerator (ACI) (Counties in the Oklahoma City MSA are Canadian, Cleveland, Grady, Lincoln, Logan, McClain, and Oklahoma. Counties in the Tulsa MSA are Creek, Okmulgee, Osage, Pawnee, Rogers, Tulsa, and Wagoner).
- 6.) Burning of domestic household waste when no collection/disposal service is available.
- 7.) The burning of hydrocarbons spilled or generated as waste from oil field activities which cannot be feasibly recovered otherwise. DEQ

- 8.) must be notified prior to the burn. (Burning of hydrocarbons on water or where the residue will wash into waters of the state is prohibited).
- 8.) The disposal of waste hydrocarbons through use of a flare.
- 9.) The burning of clean lumber and wood waste in an air curtain incinerator which has been properly designed and operated for the control of smoke and particulate matter.
- 10.) To eliminate yard brush burned on the property where it is generated.

In addition, permissible open burning must be conducted in accordance with all applicable laws, ordinances and rules. In all instances, permissible open burning must not create a public nuisance nor are persons conducting the open burning exempt from consequences, damages or injuries resulting from the burn.

Disaster Relief

The DEQ Executive Director may allow open burning of debris resulting from a disaster if it is determined such burning is necessary to protect public health and safety. Such approval, if granted, shall be accompanied by appropriate guidelines for burning the debris.

Open Burning Complaints

The DEQ investigates all complaints of open burning. Our complaints hotline phone number is 1-800-522-0206. Not all instances of open burning constitute a violation. However, when a violation is found, the DEQ takes action to cause the open burning to cease.

To go to the DEQ open burning rule, use the link <http://www.deq.state.ok.us/rules/100.pdf> and scroll to Subchapter 13 Open Burning.