

ORDINANCE #65945
Board Bill No. 98

An ordinance to amend Ordinance 64749, approved October 15 1999, regarding the regulation and control of air pollution within the City of St. Louis, by repealing Section Seventeen, relating to open burning restrictions, and adopting a new Section Seventeen, relating to the same subject.

BE IT ORDAINED BY THE CITY OF ST. LOUIS, AS FOLLOWS:

SECTION ONE. Section Seventeen of Ordinance 64749, approved October 15, 1999, is hereby repealed, and a new Section Seventeen is adopted, to read as follows:

SECTION SEVENTEEN: Open Burning Restrictions.

- A. No person shall cause, suffer, allow, or permit the open burning of refuse.
- B. No person shall conduct, cause, or permit the conduct of a salvage operation by open burning.
- C. No person shall conduct, cause, or permit the disposal of trade waste by open burning.
- D. Except as provided in subparagraph E of this Section, no person shall cause or permit the open burning of leaves, trees or the byproducts therefrom, grass, or other vegetation. It shall be prima-facie evidence that the person who owns or controls the property on which open burning occurs, has caused or permitted said open burning.
- E. Controlled burning in Forest Park for natural resource management purposes, including but not limited to prairie, savanna, forest ecology management, wetland, and similar habitat management and reclamation, shall be allowed, if a permit for such controlled burning has been issued by the Commissioner. Controlled burning permit applications shall include a properly completed application form providing:
 - 1. a description of the site, location, distance to structures, and the names of adjacent landowners;
 - 2. insurance coverage acceptable to the City naming the city as an additional insured that specifically notes the proposed controlled burning by location and date;
 - 3. a plan for the controlled burning which will identify key burn control persons and a primary on site burn event leader ("Burn Leader") and the qualifications of these individuals, which at a minimum shall include documentation that the Burn Leader has attended and passed Wildlands Fire Training S-130, at a minimum, or S-190, S-290, S-390, and Rx-300, as given by the National Wildfire Coordinating Group or equivalent courses provided by others. This plan will also address:
 - a. Signatures of responsible parties (Burn Leader and landowner(s));
 - b. Purpose and objective(s) of the burn;
 - c. Equipment and personnel to be used;
 - d. Fire prescription, including an outline of the specific weather conditions and season (winter, late winter, etc. for the burn) and manner of conducting the burn;
 - e. hours during which burn will occur;
 - f. Firing Plan indicating the location and intent of director for the burn and identifying which locations get fired first;
 - g. Alternative prescriptions indicating, if conditions are not optimal, what needs to happen for the burn to continue, (e.g., change in direction, mowing a wider buffer strip, etc.);
 - h. Proposed preparation work and protection of sensitive features;

- i. Proof of Notification of Intent to Burn that has been submitted to the Director of all departments comprising the Board of Public Service;
 - j. Burn Acreage Goal expressly stating that this is a goal and is not a quota;
 - k. Smoke management plan;
 - l. Potential impact of smoke on adjacent areas;
 - m. Provisions for regulatory compliance;
 - n. Fire Halting Action Plan (describing the conditions or situations under which a fire will be halted);
 - o. Escaped-Fire Action Plan describing the conditions or situations in which an escaped fire will be controlled and actions that will be taken to accomplish such control);
 - p. Site control and security;
 - q. Clean up; and
 - r. Other pertinent information to identify burn means and method.
4. Applications for Burn Permit(s) described above shall be submitted to the Commissioner no later than twenty-one (21) days prior to the proposed burn event and shall be referred to the Fire Marshal for review, which shall include a review of the applicant's relevant work history. The Fire Marshal shall recommend approval or disapproval of the application to the Commissioner no later than fourteen (14) days prior to the proposed burn event. The Commissioner shall not approve an application if the Fire Marshal recommends disapproval.

SECTION THREE. The passage of this Ordinance being deemed necessary for the immediate preservation of the public health and safety, is hereby declared to be an emergency measure and shall become effective immediately upon its passage and approval by the Mayor.

Approved: July 16, 2003