



Emergency Prevention Division

Travis County Emergency Services District 3 & 9
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OPEN BURNING RULES

This information is provided for all persons within Travis County Emergency Services District No. 3 & 9. In recent years outdoor burning has come under great scrutiny because of damage to environment and harmful effects on humans that are sensitive to smoke and other pollutants from fire.

Persons wishing to conduct an outdoor burn should be aware of State and Local Regulations that apply to outdoor burning. State Requirements are addressed in a document entitled "[Outdoor Burning in Texas](#)", published by the Texas Commission on Environmental Quality, (formerly the Texas Natural Resources Conservation Commission). This information can be accessed online at www.tceq.state.tx.us and searching under available publications. Local requirements from the Emergency Services District are covered in the District's adopted fire code. A copy of the Fire Code is available for review purposes at the Travis County Emergency Service District No. 9 Administrative Offices located at 248 Addie Roy Road, Suite B-103 Austin, Texas 78746. Any of these regulations may apply to outdoor burns in Travis County Emergency Services District No. 3 & 9.

The fire code requires that all persons who wish to conduct open burning fill out a permit application and obtain a burning permit. The District's Fire Code and the most current Texas Commission on Environmental Quality (TCEQ) outdoor burning rules regulate open burning. Before a permit is issued, a fire department official may inspect the premises to verify information regarding the permit application. In instances where laws or regulations are enforceable by any other governmental entity having jurisdiction, joint approval shall be obtained. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous locations on the premises, or shall be kept on the premises in a location designated by the Fire Marshal. Permits shall be subject to inspection at all times by an officer of the fire or police department or other persons authorized by the Fire Marshal. Permits may be revoked at anytime when it is determined by the Fire Marshal that any conditions or limitations set forth in a permit have been violated, which may result in fines or additional fees issued by the fire department or TCEQ.

The authority to conduct outdoor burning under the regulations listed below does not exempt or excuse any person responsible from the consequences, damages, or injuries resulting from the burning and does not exempt or excuse anyone from complying with all other applicable laws or ordinances, regulations, and orders of governmental entities having jurisdiction, even though the burning is otherwise conducted in compliance with the regulations listed below.

1. Review the following burn regulations and then **call 512-288-5534 Ext. 300 and leave a message** to request a burn permit. The shift commander or their designee will set up an appointment to come out and conduct a site inspection. This inspection must be conducted with the owner or owner's representative. The shift commander or their designee will provide a burn permit application for the applicant to fill out and sign. If the inspection passes, the shift commander will approve the permit and provide the applicant a copy for future reference. **It is recommended to apply for a burn permit three to five days prior to the desired commencement of the burn.**
2. **A copy of the permit application and inspection must remain available on site at all times.**
3. Burn permits are **valid for 30 days**. When the permit expires, applicants shall go through the permit process again.
4. **Call 512-288-5534 Ext. 300 and leave a message prior to the desired commencement of the open burn.** Provide your permit number or address so that a fire department representative can verify that the permit is valid and that the weather conditions are satisfactory to conduct the burn. The fire department representative will also check that an ozone action day, red flag warnings, or a burn ban is not in effect. This approval will be documented by the Shift

Commander and could be considered a violation of the permit regulations if it is not made each day prior to commencement of the open burn.

5. A phone shall be available to **call 9-1-1 if the fire gets out of control.**
6. You must **have control of your fire at all times.** Out of control wildfires are subject to fees or fines to cover expenses incurred by the fire department during extinguishment.
7. The location for **open burning shall not be less than 50 feet from any structure,** and provisions shall be made to prevent the fire from spreading to within 50 feet of any structure.
Exceptions:
 - A. Fires in approved containers that are not less than 15 feet from a structure.
 - B. The minimum required distance from a structure shall be 25 feet where the pile size is 3 feet or less in diameter and 2 feet or less in height.
8. Burning shall be commenced and conducted only when wind direction and other **meteorological conditions** are such that smoke and other pollutants will not cause adverse effects to any public road, or off-site structure containing sensitive receptor(s) as listed below:
 - A. Winds more than **6 MPH** but less than **15 MPH** during the burn period.
 - B. Burning shall not be conducted during periods of actual or predicted persistent low-level atmospheric temperature inversions.
9. The initiation of burning shall commence no earlier than **one hour after sunrise.** Burning shall be **completed on the same day by 5pm.** In cases where residual fires and / or smoldering objects continue to emit smoke after this time, such areas shall be extinguished if the smoke from these areas has the potential to create a nuisance or traffic hazard condition. In no case shall the extent of the burn area be allowed to increase after this time.
10. **Burning of illegal items is strictly prohibited.** Rubbish containing paper products, electrical insulation, treated lumber, plastics, construction or demolition materials not made of wood, heavy oils, asphaltic materials, potentially explosive materials, chemical wastes, or items containing natural or synthetic rubber.
11. **If at any time the burning causes or may tend to cause smoke to blow onto or across a road or highway, it is the responsibility of the person initiating the burn to post flag-persons on affected roads.**
12. Open burning shall be **constantly attended by a person knowledgeable in the use of fire-extinguishing equipment and familiar with the permit limitations which restrict open burning** until the fire is extinguished. An attendant shall supervise the burning material until the fire has been extinguished. **A garden hose connected to a water supply or other approved fire-extinguishing equipment shall be readily available for use at open-burning sites.**
13. **Burning must be conducted downwind of, or at least 300 feet from any structure containing sensitive receptors located on adjacent properties** unless prior written approval is obtained from whoever owns or rents the adjacent property and either resides or conducts business there.
14. **Recreational fires shall not be conducted within 25 feet of a structure or combustible material** unless the fire is contained in a barbecue pit. Conditions which could cause a fire to spread within 25 feet of a structure shall be eliminated prior to ignition.

*****END OF DOCUMENT*****

As of 6/28/2004
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