



# OPEN BURNING PERMIT ISSUANCE GUIDELINES

The following guidelines will be used to issue permits for open burning.

## 1. Types of open burning permits

### A. Residential

Defined – any situation where an individual resident of the City of Pelham is burning brush, vegetation, wood, etc. on property directly associated with their residence and which is not related to any business enterprise.

Intent – to allow residents the privilege of burning minor brush, vegetation, wood, etc. for the purpose of maintaining their residential property.

### B. Other than residential

Defined – any situation where an individual or business enterprise is burning brush, vegetation, wood etc. on property or for purposes that does not qualify as residential.

Intent – to allow business enterprises the privilege of burning brush, vegetation, wood, etc. for the purpose of development or property maintenance.

### C. Bonfire

Defined – any situation where an individual, business enterprise, or group is burning wood for recreational or entertainment purposes.

Intent – to allow entities the privilege of burning wood for the purpose of recreation or demonstration.

## 2. General permit issuance, signature, and possession

A. Residential – outdoor burning permits for residential purposes may be issued in person or over the telephone. Residential permits require that a permit be filled out and filed. Residential permits do not require that the permit recipient sign or be in possession of the permit.

B. Other than residential – outdoor burning permits for purposes other than residential must be issued in person. Permits are required to be signed by the recipient and the person responsible for the burning must be in possession of the permit at the burn site.

C. Bonfire – outdoor burning permits for bonfires must be issued in person. Permits are required to be signed by the recipient and the person responsible for the burning must be in possession of the permit at the burn site.

# OPEN BURNING PERMIT

## ISSUANCE GUIDELINES (continued)

### 3. Issuance location

#### A. Primary

i. Station one should be the issue point for all open burning permits requiring signature by the recipient.

#### B. Secondary

i. Station One, Station Two, Station Three, Station Four, and fire prevention may issue residential permits by telephone. In the event that a permit is issued by telephone, the permit must be faxed to station one for entry into the burn permit log.

ii. Fire prevention may issue other than residential and bonfire permits. Permits must be faxed to station one for entry into the burn permit log.

### 4. Issuance times

#### A. Primary

i. Residential, Other than residential, and Bonfire – During normal business hours of the fire department administration (normally Monday through Friday from 8:00am until 5:00pm).

#### B. Secondary

i. All reasonable requests for permits should be accommodated during other times when necessary.

### 5. Issuance responsibilities

#### A. Primary

i. The fire department secretary is the primary responsible party for issuing open burning permits.

#### B. Secondary

i. Any person on-duty at Station One during times that the secretary is not available and a request for an open burning permit is received is a responsible party for issuing open burning permits.

ii. Fire prevention officers on-duty at the fire prevention offices when a request for an open burning permit is received at the fire prevention offices is a responsible party of issuing open burning permits.

#### C. All issuing parties

i. It is the responsibility of the issuing party to determine the fire alert / draught emergency status before issuing any outdoor burning permit.

(1) Contact information | <http://www.forestry.state.al.us> or 1-800-292-6653

ii. Status

(1) No fire alert or draught emergency – permits will be issued as needed

(2) Fire alert – permits will only be issued at the direction of the Fire Chief, Fire Marshal, or Shift Commander

(3) Draught emergency – no permits will be issued

### 6. Open burning permit log

A. All open burning permits not issued at station one shall be forwarded to station one and to the attention of the fire department secretary.

B. The fire department secretary shall keep a current log of all active open burning permits. This log must be available for quick access by fire department personnel at all time.

# OPEN BURNING PERMIT

## ISSUANCE GUIDELINES (continued)

### **Open Burning Permit Changes - 2004**

Review verbally with permit recipient at time of permit issue

1. Fuel may be added for burning only within the following times:
  - a. Other than individual residents – 8:00am to 3:00pm
  - b. Individual residents – 8:00 a.m. to sunset
  - c. Bonfires – within specific times as noted
  
2. The fire shall be attended constantly by a competent person until the fire is extinguished (put out, quenched, or smothered)
  - a. Individual residents are allowed to burn during daylight hours only.

## **Regulatory excerpts from PROCLAMATION 3, Alabama Department of Environmental Management**

1. Open burning may be conducted if it meets all the requirements set forth in the following paragraphs. Such open burning being sanctioned by this agency is meant to provide an exemption to ADEM Admin. Code R. 335-3-3.01, only. Authority to conduct open burning under the provisions of the ADEM proclamation does not exempt or excuse a person from the consequences, damages, or injuries which may result from such conduct, nor does it excuse or exempt any person from complying with all applicable laws, ordinances, regulations, and orders of governmental entities having jurisdiction, even though the open burning is conducted as specified by the ADEM proclamation.
2. The ADEM proclamation authorizes, on the property from which the material originates, subject to the conditions set forth below, only the open burning of untreated wood, tree trimmings, brush or plant growth generated by clearing or maintenance of land, or from demolition or other practices conducted for any of the following purposes:
  - a. Erection of any structure
  - b. Construction of any transportation, utility, or communications line
  - c. Maintenance of rights of way
  - d. Development or modification of a recreational area or park
  - e. Plant husbandry practices
3. Burning qualifying for this exemption from ADEM Admin. Code R. 335-3-3.01 must also meet the following conditions:
  - a. THE LOCATION OF THE BURNING MUST BE AT LEAST 500 FEET FROM THE NEAREST OCCUPIED DWELLING OTHER THAN A DWELLING LOCATED ON THE PROPERTY ON WHICH THE BURNING IS CONDUCTED.
  - b. The burning must be controlled so as to avoid creating a traffic hazard on any public road, street, or highway as a result of the air contaminants emitted.
  - c. ONLY THE WOOD AND PLANT GROWTH MATERIALS SPECIFICALLY AUTHORIZED BY PARAGRAPH 2 ABOVE MAY BE BURNED. UNDER NO CIRCUMSTANCES SHALL HEAVY OILS, ASPHALTIC MATERIALS, ITEMS CONTAINING NATURAL OR SYNTHETIC RUBBER, PLASTICS, OR REFUSE BE BURNED.
  - d. Initial burning may be commenced only between the hours of 8:00 a.m. and 3:00 p.m. No combustible material is to be added to the fire between 3:00 p.m. and 8:00 a.m. the following day.
  - e. Burning shall be conducted only when there is good ventilation and when the prevailing wind direction is away from any built-up area in the vicinity. No burning shall be conducted in areas under a current air stagnation advisory issued by the National Weather Service or during a "Drought Emergency" declared by the Governor.
4. The director or his authorized representative may impose additional conditions to cover specific open burning situations where additional controls are deemed necessary to minimize air pollution.