

C I T Y O F L E W I S V I L L E

FIRE PREVENTION DIVISION

OPEN BURNING
Ord. #2757-12-2001
Sec. #307

2002

OPEN BURNING

307.1 General. A person shall not kindle or maintain or authorize to be kindled or maintained any open burning unless conducted and approved in accordance with this section.

307.2 Permit required. A permit shall be obtained from the code official in accordance with Section 105.6 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests. Application for such approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.

307.2.1 Authorization. Where required by state or local law or regulations, open burning shall only be permitted with prior approval from the state or local air and water quality management authority, provided that all conditions specified in the authorization are followed.

307.2.2 Prohibited open burning. Open burning is prohibited inside the city limits.

307.3 Location. Open burning is prohibited inside the city limits.

307.3.1 Bonfires. Bonfires are prohibited inside the city limits.

307.3.2 Recreational fires. Recreational fires shall not be conducted within 25 feet (7620 mm) 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 (7620 mm) of a structure shall be eliminated prior to ignition.

307.3.3 Trench burns. Trench burns shall only be authorized and permitted by the Fire Prevention Division in accordance with the following rules and requirements.

- (a) All outdoor burning must utilize a mechanical trench/pit burning assembly approved by the Texas Commission on Environmental Quality (TCEQ). All applicants must obtain approval through the TCEQ for the site specific burning in the City of Lewisville.
- (b) Burning shall include only materials authorized on an approved burning permit for the purpose of clearing land for future development.
- (c) Areas for burning shall be located a minimum distance of 1,800 feet from all structures downwind and 500 feet from any other structures not classified as being downwind. In addition, areas for burning shall be located a minimum distance of 500 feet from wooded areas, roadways, and overhead power lines. Surrounding grass and/or brush must be mowed or maintained as to not present a fire hazard.

- (d) No fuel storage tank or other hazardous material is to be stored within the burn area.
- (e) **Each day, after 8:00 a.m., prior to any permitted burning operation, the below listed agencies must be contacted:**
 - (1) Texas Commission on Environmental Quality (TECQ), 817-469-6750
 - (2) Fire Prevention Division, 972-219-3462
- (f) Hours of burning shall be between 8:00 a.m. and 5:00 p.m. Monday through Friday. **On ozone action days, burning shall not begin before 10:00 a.m.** The pit shall be covered with dirt and completely extinguished by 5:00 p.m. each day. No smoke or burning objects shall be visible.
- (g) No burning allowed on holidays or weekends.
- (h) Approved stand-by equipment must be on location and shall include at least one piece of earth moving equipment (bulldozer, backhoe, track loader, etc.)
- (i) All burning must be constantly attended by at least one (1) competent person on location to operate stand-by equipment, and all fires shall be completely extinguished by 5:00 p.m. or before being left alone.
- (j) Wind velocity for below ground pit/trench burning operation shall not exceed 20 miles per hour.
- (k) Burning permits will be revoked for failure to comply with any of the following:
 - (1) Violation of any site specific or general rules regulating burning.
 - (2) Extreme dry weather.
 - (3) Change in wind direction.
 - (4) If in the case that ash, excessive smoke, or excessive odor is documented by Fire Prevention in relation to any surrounding property for whatever reason.
 - (5) Where any life, health, nuisance, or other hazard is indicated to surrounding persons or property.

Note: If permits are revoked by Fire Prevention for any of the reasons listed above, materials shall be disposed of in a different manner.

- (l) Further information may be obtained by contacting the Fire Prevention Division weekdays at (972) 219-3462.

(m) Permit fee is \$200.00 per day.

307.4 Attendance. Open burning, bonfires or recreational fires shall be constantly attended until the fire is extinguished. A minimum of one portable fire extinguisher complying with Section 906 with a minimum 4-A rating 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.

307.5 Open-flame cooking devices. Charcoal burners and other open-flame cooking devices shall not be operated on combustible balconies or within 10 feet (3048 mm) of combustible construction.

Exceptions:

- (1) One- and two-family dwellings.
- (2) Where buildings, balconies, and decks are protected by an automatic sprinkler system.

307.5.1 Liquefied-petroleum-gas-fueled cooking devices. When permitted as listed in the exceptions of Section 307.5, LP-gas burners have an LP-gas container with a water capacity greater than 2.5 pounds shall not be located on combustible balconies or within 10 feet of combustible construction.

Exception: One- and two-family dwellings, and other residential occupancies when those residential occupancies are in compliance with Section 307.5, exception #2, may have containers with a water capacity not greater than 20 pounds.