

§111.219. General Requirements for Allowable Outdoor Burning. – State Law

Outdoor burning which is otherwise authorized shall also be subject to the following requirements when specified in any section of this subchapter:

(1) Burning must be outside the corporate limits of a city or town except where the incorporated city or town has enacted ordinances which permit burning consistent with the Texas Clean Air Act, Subchapter E, Authority of Local Governments.

(2) 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, landing strip, navigable water, or off-site structure containing sensitive receptor(s).

(3) 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.

(4) Burning must be conducted downwind of or at least 300 feet (90 meters) from any sensitive receptors located on adjacent properties unless prior written approval is obtained from the adjacent occupant with possessory control.

(5) Burning shall be conducted in compliance with the following meteorological land timing considerations:

(A) The initiation of burning shall commence no earlier than **one hour after sunrise**. Burning shall be completed on the same day not later than **one hour before sunset**, and shall be attended responsible party at all times during the active burn phase when the fire is progressing. 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.

(B) Burning shall not be commenced when surface wind speed is predicted to be less than six miles per hour (mph) (five knots) or greater than 23 mph (20 knots) during the burn period.

(C) Burning shall not be conducted during periods of actual or predicted persistent low-level atmospheric temperature inversions.

(6) Electrical insulation, treated lumber, plastics, non-wood construction/demolition materials, heavy oils, asphaltic materials, potentially explosive materials, chemical wastes, and items containing natural or synthetic rubber must not be burned.

§111.221. Responsibility for Consequences of Outdoor Burning.

The authority to conduct outdoor burning under this regulation 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 this regulation.

### **Tips for Outdoor Burning**

File an application with the fire department and an inspection will be scheduled, then a permit issued or denied. No permits will be issued during a county burn ban.

Burn no more piles than you can manage. Have water or mechanical means of controlling the fire.

Center the piles in the middle of the property, furthest from adjacent property lines.

Do not spot a burn pile closer than 50 feet from a structure.

Burn away from power lines, utility equipment.

High wind and low humidity will assure fire spread. See the state rules on the previous page.

Burning in a low spot out of the wind is preferable. If possible mow any high grass around your pile.

A manageable pile is no more than 20' x 20' x 10'

Complaints will trigger a visit from the on-duty fire crews who have the authorization to put the fire out.

**Do not burn anything other than that which has grown on your property.**

**Call 24 hours before you burn (the Inspector who inspected your burn pile). Check for county burn ban.**