

LAND CLEARING/COMMERCIAL BURNING PERMIT GUIDELINES

(A) Burning of trees, brush, or other plant growth onsite shall be permitted for the purpose of right-of-way maintenance or land clearing operations when the materials were generated only from the property on which the burning occurs. All burning conducted pursuant to this exception shall be via trench burning and may require an Air Curtain Incinerator and air manifold system.

(B) A permit shall be obtained from the City Fire Marshal prior to the land clearing burning under this exception.

(1) The City Fire Marshal shall have authority to issue land clearing permits. Such permits shall be issued at the discretion of the Fire Marshal or an authorized representative. All burning carried out under a land clearing permit shall conform to this section as well as additional regulations prescribed by the Fire Marshal.

(2) The City Fire Marshal shall promulgate an application for a permit for the outdoor trench burning within the city limits of the City of Marshall, which said application will contain the name of the applicant, the time of the scheduled burn, the location of said burn, safety precautions to be taken, and any other information relevant to the decision of whether the outdoor burn should take place. The application shall also state the times such burning is allowed, the minimum safety precautions which applicants must take, and any limitations regarding weather conditions. The City Fire Chief or his designated representatives may stop any burn which does not comply with all these requirements set out herein.

(3) The costs for a burn permit shall be \$250.00 up to five days MAX

(4) The initiation of burning shall commence no earlier than sunrise. Burning shall be completed on the same day not later than one hour before sunset--Official sunrise/sunset as set forth in the United States Naval Observatory tables available from National Weather Service offices.

(5) Trench must be located at least 300 feet from the closest property line, utility line, or right of way.

(6) Trench may be used only for the burning of trees and brush from the land clearing.

(7) Material not being worked and material being stockpiled to be burned at a later date be kept at least 75 feet from the trench.

(8) Trench must be 12 feet wide, 35 feet long, and no less than 10 feet deep.

(9) Equipment must be kept on-site with operator during burning operations. NO EXEMPTIONS!

(10) 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). Optimal wind speed is 5mph and shall not exceed 20mph

(11) Burning shall not be conducted during periods of actual or predicted persistent low-level atmospheric temperature inversions or times of when humidity is too low (30%) or too high (80%).

(12) *VIOLATIONS FOR BURNING WITHOUT A PERMIT, EXPIRED PERMIT, REVOKED PERMIT, OR FOR NONCOMPLIANCE OF THE BURNING PERMIT GUIDELINES, CITY ORDINANCES, STATE, OR FEDERAL LAW MAY RESULT WITH A MISDEMEANOR AND SHALL BE ISSUED A CITATION TO APPEAR IN MUNICIPAL COURT TO FACE A FINE OF \$200-\$2000.00. BURNING WHILE UNDER A BURN BAN WILL RESULT IN AN AUTOMATIC \$500 FINE.