

International Fire Code, 2015 Edition (as amended)
Section 307.1. Outdoor Burning

No person shall kindle or maintain any bonfire or rubbish fire or authorize any such fire to be kindled or maintained upon any premises within the City limits.

Exceptions:

1. Owners who reside on individual lots two (2) acres or larger may burn trees, brush, and other plant growth on said lots if for purposes of maintenance or land clearing only and not for purposes of residential or commercial development, and if materials to be burned are generated solely on such property. Other materials, including household garbage, individual piles of leaves or grass, and commercial wastes, shall not be burned. (Ord. No. O-2011-42; 5/25/11) (Ord. No. O-2018-16; 1/24/18)
2. Owners of property ten (10) acres or larger may burn trees, brush, and other plant growth on said property for predevelopment purposes, to include Right-of-Way clearing, utility installation, and mass grading. Materials to be burned must be generated solely on such property and may not include household garbage. Prior to burning, a permit must be obtained from the Fire Marshal's Office, and all requirements specified on the permit, including fees and notification, must be adhered to.
3. If a violent weather condition destroys buildings, trees, or other vegetation, and clean-up is of the essence, burning of storm debris in residentially zoned areas may be allowed if it can be shown that burning would substantially expedite the clean-up; and if no practical alternative exists.

Any burning carried out pursuant to subsections 1, 2, or 3 above must conform to State law and to TCEQ or successor Rules. Per TCEQ rules, the Fire Department may require a property owner conducting outdoor burning to extinguish a fire if such burning causes a traffic hazard, or is deemed a nuisance for a "sensitive receptor" such as a residence, business, barn, greenhouse, etc. (Ord. No. O-2011-42; 5/25/11) (Ord. No. O-2018-16; 1/24/18)

Any burning carried out pursuant to subsections 1, 2, or 3 above shall not be conducted on any Ozone Action Day designated by the TCEQ or successor, and such burning shall not be conducted on any day in which there is in effect an order issued by Smith County that prohibits outdoor burning in unincorporated areas of Smith County due to drought conditions. (Ord. No. O-2007-25; 2/28/07) (Ord. No. O-2018-16; 1/24/18)

All complaints regarding outdoor burning should be forwarded to the Fire Chief or Fire Marshal's Office. (Ord. No. O-2011-42, 5/25/11) (Ord. No. O-2018-16; 1/24/18)