



FIRE MARSHAL'S PERMIT APPLICATION



*** Email Completed Permit Application Packet to fmsadmin@tylertexas.com***

We require a copy of the Approved Permit & Plans onsite at all times
1520 W Front St. , Tyler, TX 75702 Office: 903-535-0007

OUTDOOR BURNING – COMMERCIAL/RESIDENTIAL DEVELOPMENT

(Ref: City of Tyler Code of Ordinances – Sec. 6-123 – 307.1)

Permit Issue Date: _____ Permit # (issued by Fire Marshal): _____

PART 1: Site / Applicant Information

Location of Outdoor Burning : _____

Applicant – Company/Individual : _____

Address: _____

Responsible Party: _____ Contact #/Email: _____/_____

PART 2: Applicant Responsibilities

The Permit Holder assumes all liability and responsibility

- A permit application must be completed and on file at the Tyler Fire Marshal's Office located at 1718 W. Houston St., Tyler, TX 75702. The person completing the application must be the person responsible for the property or responsible for the work being performed on the property.
- A site plan showing the burn location and distances to any structures or right of ways must be included in the permit submittal documents.
- Maintain 100' firebreak, and the firebreak shall be maintained clear of all combustible materials.
- Burning must be conducted downwind of or at least 300' from any structure containing sensitive receptors located on adjacent properties. {TCEQ 111.219 (5)}
- While burning is in progress, a competent person must be in attendance until the fire is extinguished, and ashes are cooled and covered. {TCEQ 111.219 (6)(A)}
- A water supply or other fire extinguishing equipment must be available at the location until the fire is extinguished.
- Burning must take place only during daylight hours, between the hours of 9:00 a.m. and 5:00 p.m. (Combustibles should not be added to burn operations after 4:00 p.m.) {TCEQ 111.219 (6)(A)}
- Permit will expire once project is complete.
- Burning shall not be done when:
 - the wind speed is less than 6 MPH or greater than 23 MPH, in the event of an Ozone Action Day, or when there is low level atmospheric temperature inversion, as defined by TCEQ (111.219).
- It is the applicant's responsibility to be knowledgeable and in compliance at all times with applicable City of Tyler Ordinance and Codes, along with TCEQ requirements.

- **Permit Holder must check wind speed (www.tylertexasweather.com) before burning each day.**

- **PERMIT FEE:** \$1000.00 per week (7 days); Addtl. days will be assessed a fee of \$150.00 per day. Invoice will be sent from Fire Recovery and must be paid directly through them.

PERMIT VALID FROM _____ TO _____

The fire department may cancel any permit at any time and require the fire to be extinguished due to complaint or safety reasons.

Inspector: _____

Date Inspected: _____

Signature of Applicant: _____

Date: _____

PART 3: Code / Ordinance / TCEQ Information

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)

The most current copy of "Outdoor Burning in Texas", a guide published by the Texas Commission on Environmental Quality to assist the public with interpreting the revised Outdoor Burning Rule, can be found at the TCEQ website.

https://www.tceq.texas.gov/assets/public/comm_exec/pubs/rg/rg-049.pdf