



EULESS FIRE DEPARTMENT FIRE MARSHAL'S OFFICE

EFD-FMO 25-4

INFORMATION LINE: *Open Fires/Open Burning* Revised 11/09

Fire Chief Wes Rhodes *Fire Marshal Paul Smith*

2009 Edition
International Fire and
Building Code as
Amended

NFPA Standards
Adopted

This document is intended to provide GENERAL guidance on the topic of open burning in the City of Euleless. Outdoor burning is generally ILLEGAL in the City of Euleless with very few exceptions.

Open burning outside of a container is prohibited in the City, with the exception of trench burns as allowed in 307.3.3 (amended) of the City code.

Cooking Operations are outlined in Information Line 38-1 "Outdoor Cooking and Grilling."

This policy is applicable to permits required and provisions that apply to open burning. Open burning is specifically defined by the following definitions:

DEFINITIONS

Barbecue – A metal rack on which meat, poultry, pork, fish or other food items are cooked over hot coals or on a revolving spit.

Barbecue Device – An approved device or method specifically constructed or designed to heat and/or smoke food substances and is made of non-combustible materials. This definition does not include barbecue pits.

Barbecue Pit – A trench or hole in which wood or charcoal is burned to make a bed of hot coals over which meat is barbecued.

Open Burning – The burning of materials wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber. ...does not include ... recreational fires.

Recreational Fire. An outdoor fire burning materials other than rubbish where the fuel being burned is not contained in an incinerator, outdoor fireplace, barbecue grill or barbecue pit and has a total fuel area of 3 feet or less in diameter and 2 feet or less in height for pleasure, religious, ceremonial, cooking, warmth or similar purposes.

Trench Burner – A TCEQ approved air curtain device using a pit to burn naturally occurring vegetation.

Warming Fires – Fires that are placed in metal containers (such as a 55 gallon drum), screened to prevent flying embers or sparks and used exclusively at construction sites for warmth and approved by the Fire Marshal.

PERMIT(S) REQUIRED AND TYPE OF PERMIT

A permit issued by the Fire Marshal's Office is required prior to causing or allowing a fire or burning operation to exist.

1. Ignition of a fire utilizing a trench burner.
2. Permit required for roasting pits.

UNAUTHORIZED TYPES OF OPENING BURNING

1. The open burning of trash, grass, garbage, debris, wood, rubbish, leaves or any other material in any container or upon the ground.
2. The burning off of grass or weeds from a lot, yard, ditch, etc.
3. Any open burning for which a permit has not been issued. Open burning outside of a container or enclosure is prohibited in the City, with the exception of trench burns as allowed in 307.6 (amended) of the City codes.
4. Open burning may not be offensive or objectionable because of smoke or odor.
5. Open burning may not occur when atmospheric conditions or local circumstances make such fires hazardous.
6. Open burning may not occur outside a container or enclosure.
7. Fires should be a minimum of 15 feet from a structure and not create a fire hazard or health concern.

8. Fire must be attended by a competent adult.
9. There must be a means available to extinguish the fire.

Note: This document can not address all possible scenarios and is not intended to do so. Any outdoor fire situation which creates an immediate fire hazard shall be addressed and rendered safe or extinguished. The intent is to allow residents to enjoy a safe, legal and contained outdoor fire in a proper and approved container without putting health or safety at risk.

PROVISIONS DO NOT APPLY TO THE FOLLOWING TYPES OF BURNING

A permit or notification issued by the Fire Marshal is NOT required for burning that is confined in a commercially designed barbecue grill, brick, rock or metal constructed fireplace, smoker, or similar device that is recognized and approved for that purpose, burning a fuel that is appropriate for the device, and if applicable, complies with the provisions established by the Building, Mechanical or Fire Code. For any cooking appliance, barbecue, barbecue pit or similar device that does not exceed 25 square feet of cooking surface in the aggregate on a single piece of property. All other cooking devices are regulated as outlined in EFD-FMO 38-1 "Outdoor Cooking and Grilling."

A permit is not required for the operation of a chiminea, outdoor fireplace or fire ring provided the operation does not violate any provisions of the Codes and is maintained in a safe operation. In multifamily dwellings, chimineas and similar devices must be kept a minimum of fifteen feet from the structure while operating.

NOTE: This policy does NOT apply to the open burning provision for candles, torches, or other flame maintaining or flame producing devices. These items are addressed in other provisions of the Fire Code.

RESPONSIBLE PARTY

Any person or persons who maintain a fire is responsible for the safe operation of said fire and by its careless use or neglect, either intentionally or unintentionally, when that action constitutes a hazard to life or property or results in the injury, death or destruction of property, will be held in violation of the Eules Fire Prevention Code and subject themselves liable to both civil and criminal action.

ENFORCING AUTHORITY

No person shall so construct, erect, install, maintain, or use any incinerator or barbecue pit, or so burn any material as to constitute a fire hazard by the use or burning thereof or as to endanger the life or property of any person thereby.

POLICY SUBJECT TO CHANGE

The Fire Marshal is the authority which controls and regulates open burning and/or fires of any kind within the corporate City limits. The provisions of this policy are subject to change when in the opinion of the Fire Marshal, conditions warrant.

Please contact the Fire Marshals office at 817-685-1600 if you have any questions.