

CITY OF TOM BEAN OPEN AIR BURN NOTIFICATION ORDINANCE 2010-03 & 2014-04

REGULATIONS:

1. All permits notifications MUST be submitted to the Tom Bean City Hall **24 hours in advance** of scheduled burn date.
2. Permits MUST be reviewed by the Chief of Police before permission is given to the residence to burn.
3. The Police Chief and/ or a member of the Tom Bean Fire Department can refuse or cancel any open air burn at any time prior to or after a burn has been approved.
4. Permits are only issued between 10:00 AM and 4:30 PM Monday through Friday; resident will be notified once permit has been approved.
5. Permits are good only for a 12 hour period and between the hours of 10:00 AM and (1) one hour before dusk Monday through Sunday.
6. Resident MUST be 18 years or older to apply for an open air permit and must be present at the burn site at all times.
7. No person shall set, maintain or increase an open air burn at any time except by permission from the Police Chief.
8. Open air burns SHALL NOT be permitted during period of drought, high wind advisories (exceeds 15 mpr), and bad weather events. The City of Tom Bean shall follow all burn bans and wind advisories issued by Grayson County and Ozone Action Day designated by TCEQ.
9. Resident MUST insure they have appropriate means to extinguish an open air burn completely at the end of the allotted time by means of fire extinguishing equipment and/ or a water source necessary to control the fire until such fire is completely cold.
10. Permits are only good for the property occupied by the residence and an open air burn MUST be conducted on a location that is at least 300 ft. from the nearest building or structure that is not on the same property.
11. Failing to comply with the regulations with the above said ordinances 2010-03 and 2014-04 can result in loss of property; payment of restitution to the Police Department, Fire Department, or nearby home owners; and payments of fine and fees that could total up to \$500.00
12. You are responsible for the open air burn and the smoke it creates on from your property. You are liable for all damages, injuries, or other consequences that may result from burning, when it is carried out in compliance with these regulations.

BURNABLE AND NON-BURNABLE MATERIALS:

1. The following materials may be burn on residential or commercial property:
 - a. Trees
 - b. Brush
 - c. Logs
 - d. Stumps

- e. Leaves
- f. Storm debris
- 2. Materials to be burned cannot be hauled or brought in from another location only the material that originated from the residence can be burned.
- 3. Burning of any heavy smoke-producing material is strictly prohibited.
- 4. The following materials may NOT be burn on residential or commercial property:
 - a. Tires
 - b. Pallets
 - c. Bridge lumber
 - d. Treated lumber
 - e. Plastic or items containing natural or synthetic rubber
 - f. Household furniture
 - g. Household rubbish
 - h. Any buildings, structures, or demolition materials
 - i. Combustible explosive materials, heavy oils, or chemical waste
 - j. Electrical insulation
 - k. Asphaltic materials

RECOURSES:

- 1. Ozone Level Information – www.tceq.texas.gov/goto/airtoday>
- 2. TCEQ out door air burning rules – www.tceq.texas.gov/rules>
- 3. Grayson County burn ban updates – www.co.grayson.tx.us/default.aspx?name=oem.outdoor
- 4. City of Tom Bean website - www.tombean.net
- 5. Tom Bean Police Department 903-546-6413 or cell 903-436-5362

If your outdoor air burn gets out of your control and cannot be extinguished by water hose or a fire extinguisher you **MUST call 911.**

Once you have reviewed all the above information please fill out the following application.

**CITY OF TOM BEAN OPEN AIR BURN NOTIFICATION
ORDINANCE 2010-03 & 2014-04
APPLICATION**

Date and time of application: _____

Applicant's name: _____

Address of burn site: _____
Street State Zip

Contact number: _____

General description of where the burn site will be located on the property:

Date and time will start and end: _____

Acknowledgement and Affirmation:

I _____ who resides at _____
have read and understand the open air burn requirements and regulation as listed in the packet. I understand that I must follow the regulations as outlines or I will be made to extinguish my burn and may receive a citation for uncontrolled burn with fines and fees up to \$500.00.

I understand that the open air burn may not commence until after I have been given approval from the City of Tom Bean and must only burn at the designated location, date and times as specified here within.

I understand that the Tom Bean Police Department and or the Tom Bean Fire Department have the authority to revoke or cancel this permit for any reason.

I understand that I am responsible for any damage which may be cause to any person or to property by reason of the permitted burn, arising from any act or acts of myself, my agents, employees or subcontractors and shall release and forever discharge, and shall save and hold harmless, The City of Tom Bean, The Tom Bean Police Department and the Tom Bean Fire Department and their agents and employees from each and every right and claim which I may hereafter have no account of damages to my (or the property owners) property or any other persons property resulting from any incident, occurrence or activity arising from the permitted burn and from liability of any nature or kind connected with the permitted burn, operations or work performed hereunder arising out of any negligent or willful act or omission of any person/ entity or of any employee or agent of that person/entity to the degree such indemnification is allowed by law.

I hereby affirm the information I have provided is true and correct.

Signature and date

APPROVED / DENIED		
Signed by: _____	Date: _____	Time: _____