



Open Burning-Residential Fires

These guidelines are to be followed when a person proposes to perform an open burn on a residential property within the City of Rockwall. Open burning is only permitted by the City of Rockwall for property owners with land parcels 2 acres and greater for the on-site burning of residential yard and garden debris and waste plant growth only. Trees, brush, grass, leaves, branch trimmings, or other plant growth may be burned on the property of which the material grew. The open burn must be conducted by the property owner or any person authorized by the owner. Permit holder shall comply with the general requirements for burning listed below and the other sections of this code.

All open burning operations for the purposes of these guidelines and any other guidelines or requirements of the Rockwall Fire Marshal Division, shall conform to the 2015 International Fire Code, as adopted and amended by the City of Rockwall. These guidelines do not replace, nor supersede any codes and/or ordinances adopted by the City of Rockwall, or determinations and positions of the Rockwall Fire Marshal Division.

General Requirements

- 1) Open burning that is offensive or objectionable because of smoke or odor emissions or when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited.
- 2) The fire code official is authorized to order the extinguishment of the open burning, that creates or adds to a hazardous or objectionable situation.
- 3) Commence or continue burning only when the wind direction and other weather conditions are such that the smoke and other pollutants will not present a hazard to any public road, landing strip, or navigable water (e.g., lake, river, stream, or bay) or have an adverse effect on any off-site structure containing "sensitive receptors" (e.g., a residence, business, farm building, or greenhouse).
- 4) Post someone to flag traffic if at any time the burning causes or may tend to cause smoke to blow onto or across a road or highway.
- 5) The location for fires shall not be less than 300-feet from any structure, and provisions shall be made to prevent the fire from spreading to within 300-feet of any structure.
- 6) Keep fires downwind of, or at least 300 feet away from, any neighboring structure that contains sensitive receptors. This requirement may be waived only with the prior written approval of whoever owns or rents the adjacent property and either resides or conducts business there.
- 7) Burning shall be conducted in compliance with the following meteorological and timing considerations:
 - a) Begin burning no earlier than one hour after sunrise, end it the same day and no later than one hour before sunset, and make sure that a responsible party is present while the burn is active and the fire is progressing.
 - b) Burning shall not be commenced when surface wind speed is predicted to be less than six miles per hour (mph) (five knots) or greater than 23 mph (20 knots) during the burn period.
 - c) Burning shall not be conducted during periods of actual or predicted persistent low-level atmospheric temperature inversions.
- 8) Electrical insulation, treated lumber, plastics, non-wood construction/demolition materials, heavy oils, asphaltic materials, potentially explosive materials, chemical wastes, and items containing natural or synthetic rubber shall not be burned.
- 9) Fires shall be constantly attended until the fire is extinguished.



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- 10) A minimum of one portable fire extinguisher with a minimum 4-A rating or other approved on-site fire-extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization, or as otherwise required by the Rockwall Fire Marshal Division.

Submittal Requirements

- 11) A site plan/drawing of the proposed burn site area, to include property lines, buildings, obstructions, and roadways. Indicate distance to any structure on the property and any adjoining property.
- 12) Designate the burn site.
- 13) List of materials to be burned.
- 14) Each submittal shall have a completed Rockwall Fire Marshal Division Annual Residential Burn Permit application.

Additional Information

- 15) The party responsible for the burn remains liable for damages, injuries, or other consequences that may result from burning, even when it is carried out in compliance with these regulations.
- 16) These requirements and permit also do not exempt or excuse anyone from complying with all other applicable Texas Commissions on Environmental Quality and the Texas Clean Air Act rules and requirements.
- 17) A person commits an offense if the person intentionally or knowingly, with respect to the person's conduct, violates the General Requirements for Allowable Outdoor burning or any other rule promulgated by the Texas Commission on Environmental Quality regarding outdoor burning. An offense is punishable for an individual by a fine of not less than \$1,000 or more than \$50,000, confinement in the county jail for a period not to exceed 180 days, or both. An offense is punishable for a person other than an individual by fine of not less than \$1,000 or more than \$100,000.