

# OPEN BURN PERMIT

Date Issued \_\_\_\_\_

This permit is issued to: \_\_\_\_\_

Responsible Party: \_\_\_\_\_ Same as above: \_\_\_\_\_

Phone number: \_\_\_\_\_

Burn Location(s): \_\_\_\_\_

Date and Time of burn: \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_

Description of Material to be burned: (reference WRFD rule #15 on back)

Signature of person(s) assuming responsibility in event fire becomes out of control:

\_\_\_\_\_

Signed: \_\_\_\_\_ Dispatcher Phone #: \_\_\_\_\_  
(Fire Dept. Officer) (Fire Dept. Officer #)

This permit is being issued in accordance with the Nebraska Statute 81-520.01. (See Back) Air quality regulations **may necessitate an additional permit** from the Department of Environmental Control. Phone (402) 471-2186.

## **LEGISLATIVE BILL 408: 81-520.01. Statewide open burning ban; waiver; permit; fee.**

(1) There shall be a statewide open burning ban on all bonfires, outdoor rubbish fires, and fires for the purpose of clearing land.

(2) The fire chief of a local fire department may waive an open burning ban under subsection (1) of this section for an area under the local fire department's jurisdiction by issuing an open burning permit to a person requesting permission to conduct open burning. The permit issued by the fire chief to a person desiring to conduct open burning shall be in writing, signed by the fire chief, and on a form prescribed by the State Fire Marshal. The State Fire Marshal shall provide local fire departments with such forms.

(3) The fire chief of a local fire department may waive the open burning ban in the local fire department's jurisdiction when conditions are acceptable to the chief. Anyone intending to burn in such jurisdiction when the open burning ban has been waived shall notify the fire chief of his or her intention to burn prior to starting the burn.

(4) The fire chief of a local fire department may adopt standards listing the conditions acceptable for issuing a permit to conduct open burning under subsection (2) of this section.

(5) The local fire department may charge a fee, not to exceed ten dollars, for each such permit issued. This fee shall be remitted to the governing body for inclusion in the general funds allocated to the fire department. Such funds shall not reduce the tax requirements for the fire department. No such fee shall be collected from any state or political subdivision to which such a permit is issued to conduct open burning under subsection (2) of this section in the course of such state's or political subdivision's official duties.

**SEE OTHER SIDE FOR WOOD RIVER FIRE DEPT.  
RULES FOR OPEN BURNING**

## WOOD RIVER FIRE DEPARTMENT RULES FOR OPEN BURNING PERMITS

### A PERMANENT BAN ON OPEN BURNING IS IN EFFECT IN THE STATE OF NEBRASKA.

Open burning permits may be issued as a waiver to this ban by the authority of Nebraska State Statute No. 81-520.01 RRS 1943 (1988). The Wood River Fire Department (Fire Dept) and its officers and assigns assume no responsibility for the control or suppression of any permitted burn. Furthermore the Fire Dept assumes no liability for injury or property damage resulting directly or indirectly from burning under any permit issued. By exercising any permit to burn the permit holder agrees to and understands all of the following provisions contained herein. Open burning carries with it extreme hazards. The Fire Dept strongly discourages open burning when other means of clearing land or disposing of debris is available, i.e. mowing, mulching, composting, etc.

1. Permits are issued at the convenience of the Fire Dept. The Fire Dept will make reasonable efforts to provide for the issuance of permits on a timely basis. Inability to obtain a permit at any time does not relieve the responsible party of any liability. If an authorized Fire Dept. representative is not available to issue a permit, no burning may take place.
2. Permits are issued on the day of the burn, and are issued for one day only from sunrise to sunset unless either arrangements have been made. Fuel loads shall be sized to be completely burned in this time period. Large fuel loads may require more than one permit on more than one day.
3. Permits may be denied for any reason seen fit by the Fire Dept. these may include but are not limited to weather conditions, day or season of the year, nearby exposures, size of fuel load, lack of adequate control resources, fire dept. resource commitments, alternate methods of disposal, etc.
4. The fire must be attended at all times with sufficient means on site to control the burning until complete and to extinguish the burning if required at any time. Burning logs, brush or other solid material must be covered with earth or thoroughly saturated with water before the attendant leaves the site.
5. An area sufficient to prevent the communication of the fire beyond the burning site must be cleared before the burning.
6. There shall be no burning when the wind conditions exceed or are forecast to exceed 15 MPH or a relative atmospheric humidity of less than 30 percent exists in the area, or any other condition exists or is forecast to exist which may cause a hazard. (i.e.: weather front forecast to move through, wind change that would force smoke over a roadway, etc.)
7. Smoke from a permitted burn shall not cross any roadway nor shall it interfere with the use or enjoyment of any other person's property or place of residence.
8. The permit holder is responsible for obtaining a current weather forecast for the burn. Forecasts shall include current and expected wind conditions, current and expected atmospheric humidity, sunrise and sunset times, and conditions for the 36 hours following a burn.
9. The Fire Dept must be notified before the burning is started if a preset burn time has not been established or has changed. A means of contacting the permit holder during the burn shall be in place. (i.e. cell phone, contact by radio with someone at a phone, etc.)
10. The responsible party shall allow fire department personnel access to the burn site for inspection at any time prior to and for 36 hours after any burn is complete.
11. The permit holder or his agent accepts all responsibility for the burn. This includes but is not limited to liability for damages, any suppression and extinguishment effort or cost thereof, and any injury or damage that may result directly or indirectly as a result of this burn. Suppression and extinguishing costs may include established costs of operation of Fire Dept equipment and labor charges for Fire Dept personnel to respond. The Fire Dept has no contractual responsibility to extinguish an "out of control" permitted burn. Costs to extinguish "out of control" permitted burns are above and beyond the protection provided by the district's taxpayer funding. (typical suppression costs start \$1,000 per hour)
12. Failure to follow these rules may lead to the revocation of the burn permit
13. Any burn permit may be revoked at any time for any reason by the Fire Chief or his designated representative. Upon revocation, the permit holder will cause the fire to be extinguished immediately.
14. Open burning permits **DO NOT** allow for burning standing structures, tires, or any material that may violate the Clean Air Act. It is the responsibility of the responsible party to obtain any determinations with regard to this or any other environmental impact provision.
15. Open burning without a permit or burning after a permit has been revoked is subject to monetary fines and criminal charges (i.e. arson) as provided for by law.