

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 2 OF TITLE 7, FIRE CODE, OF THE ANYTOWN MUNICIPAL CODE BY ADDING SECTION \_\_\_\_\_, ADOPTING OPEN BURNING REGULATION AND PERMITTING.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ANYTOWN, TENNESSEE, THAT:

**SECTION 1.** The existing Chapter 2 of Title 7, Fire Code, is hereby amended by adding a new section: \_\_\_\_\_, which shall establish a standard for the regulation and permitting of open burning:

7-2\_\_\_. After the effective date of these regulations, no person shall cause, suffer, allow, or permit open burning of any kind except as specifically permitted herein.

7-2\_\_\_. Open burning, as described in this section, may be conducted without permits provided that no public nuisance is or will be created by such burning. Fires used for cooking food, fires for ceremonial or recreational purposes, including barbecues and outdoor fireplaces, and fires set for the training and instruction of firefighters, do not need a permit. This grant of exemption shall in no way relieve the person from the consequences, damages, or claims resulting from such burning. This exception does not relieve the person of the responsibility of using fire safe practices nor from getting a permit from any other agency that may require such.

7-2\_\_\_. Open burning shall be allowed inside the corporate limits of the city when a valid permit has been obtained from the fire department. Prior to the burning, the person requesting the permit shall be certain that no detriment to the public health or damage to the land, water or air will be caused. The following conditions shall always be met:

1. Open burning shall be between the hours of 9:00am and 3:00pm
2. All fires shall be completely extinguished by 4:00pm.
3. The fires may never be left unattended.

7-2\_\_\_. To obtain a permit required by this chapter, the applicant shall file an

application to the fire department on the forms prescribed by the department. No fee shall be required to obtain an opening burning permit. All permits issued shall be displayed while the open burning is in progress. The fire department shall have the authority to forbid, restrict, or suspend any and all burning when the Fire Chief or the senior fire officer in charge has determined that conditions are unfavorable or hazardous for outdoor fires.

**SECTION 2.** Each section, subsection, paragraph, sentence, and clause of this Ordinance is hereby declared to be separable and severable. The validity of any section, subsection, paragraph, sentence, or clause shall not effect the validity of any other portion of this Ordinance, and only any portion declared to be invalid by a court of competent jurisdiction shall be deleted herefrom.

**SECTION 3.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 4.** This Ordinance shall take effect after its final passage, the public welfare requiring it.

PASSED ON 1ST READING \_\_\_\_\_, 19\_\_.

PASSED ON 2ND READING \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
RECORDER

City of ANYTOWN  
Fire Department

**OPEN BURNING PERMIT  
Application**

(Permit valid when signed by Fire Chief or Designee)

Name of Applicant \_\_\_\_\_

Location of Burning \_\_\_\_\_

Address of Applicant \_\_\_\_\_

\_\_\_\_\_

Telephone of Applicant \_\_\_\_\_

Individual responsible for fire \_\_\_\_\_

I will follow all open burning regulations of the City of Cowan.

Signed \_\_\_\_\_

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(This section to be completed by City of ANYTOWN - Not  
valid until signed)

Date of Burning \_\_\_\_\_

Approved \_\_\_\_\_

(Fire Chief or Designee)

Date \_\_\_\_\_