

City of Bedford commercial burning permit guidelines
City of Bedford Burning Ordinance

1. Open burning is defined as the burning of any materials wherein air contaminants resulting from combustion are emitted directly into the air, without passing through a stack or chimney from an enclosed chamber.
2. No person shall start, kindle, cause, allow, or maintain any form of open burning of any materials on private or public property, except as specifically authorized by this ordinance. No person shall allow the accumulation or existence of combustible material that constitutes or contributes to open burning.
3. The city Planning Department may grant permits to persons who are developing land for commercial purposes. Said permits shall be limited in duration for a period of time to be determined by the Planning Department. The cost of said permit shall be \$100.00 for each 30 day period with a minimum cost of \$100.00.
4. Exemptions: The following types of burning are allowed:
 - a. The burning of charcoal, clean untreated wood, and other cooking fuels customarily used in an outdoor grill, traditional food cooking devices, or campfires.
 - b. Fires used for recreational or ceremonial purposes such as school pep rally fires or the celebration of scout activities. Recreational or ceremonial shall meet the following conditions:
 1. Only clean untreated wood or charcoal shall be used. Paper products can be used for ignition purposes only.
 2. The fires shall not be ignited more than 2 hours before the recreational activity is to take place and shall be extinguished upon the conclusion of the activity.
 3. The pile to be burned shall be less than 1000 cubic feet (for example: 10ft. x 10ft. x 10 ft.)
 4. The local fire department shall be notified 24 hours in advance if the pile to be burned is more than 125 Gubic feet (for example: 5ft. x 5ft. x 5ft.)
 5. The fire shall not be for disposal purposes.
 6. The fire shall not be within 500 feet of a pipeline or fuel storage area.

5. Variances. Other types of fires may be approved as follows:

A person may obtain a variance from the provisions of this ordinance by petitioning the Planning Commission. A person must submit said Petition to the Planning Director in writing on a prescribed form located at the City Planning Department. The Planning Director shall review said Petition and make a recommendation to the Planning commission at the special or regular public meeting. The Planning commission may place restrictions on said variance in addition to the conditions set forth below as it may deem appropriate, however, the Planning commission shall not grant a variance for burning that would otherwise violate the provisions of the 326 Indiana Administrative code 4-1 et seq. and as amended in Indiana Code 13-17-9.

6. The following conditions apply to all exemptions and variances:

- a. Burning shall be done during safe weather conditions. Burning shall not occur, during high winds, temperature inversions, air stagnation, or when a pollution alert or ozone action day has been declared.
- b. Fires must be attended at all times until completely extinguished.
- c. Fires must be extinguished if they create a fire hazard, nuisance, pollution problem, or threat to public health as determined by the enforcing agency.
- d. The property owner shall have firefighting equipment adequate for the size of the fires and shall remain on-site and nearby during times of burning.
- e. Burning shall not be for disposal of garbage, refuse, or trash as defined in Section 94.01 of the Bedford City Code.
- f. All burning shall comply with other federal, state, and local laws, rules, and ordinances.
- g. Refund: If receive a legitimate complaint, fire can be put out.

7. Enforcement: Any person found in violation of this ordinance shall be subject to the following procedures:

- a. Any fire, law enforcement officer, or planning personnel of the City of Bedford may enter upon property located within the city boundaries for the purpose of investigating a violation of this Section and may order a person to correct the violation by immediately extinguishing the fire.
- b. A person who violates this ordinance shall be fined in an amount not to exceed \$2,500.00.
- c. Failure or refusal by the violator to immediately extinguish the fire in violation of this ordinance shall also result in the Fire Department having the authority to go upon private property to extinguish said fire.
- d. Each subsequent starting, kindling, causing, or allowing of a new fire after a warning notice or citation has been issued, shall be considered a separate offence.

- e. Liability for Fire: Any person who allows the accumulation or existence of combustible material which constitutes or contributes to open burning may not refute liability for violation of this ordinance on the basis that said fire was set by vandals, an accident, or an act of God.
8. The open burning provisions are enforceable by the duly appointed fire, police or planning personnel within the City of Bedford, acting on his/her own initiative or at the request of the Mayor.
 9. The Mayor may allow emergency burning of petroleum products, high explosives or other dangerous materials where such fires are properly controlled by a responsible person and are deemed necessary in the public interest. The Mayor may also allow open burning of refuse consisting of material resulting from a disaster if the Mayor has declared such a disaster in the area.