

## Chapter 3

# OPEN BURNING

### 5-3-1: BURNING PROHIBITED:

No person, firm or corporation shall ignite, cause to be ignited, permit to be ignited, allow or maintain any open fire within the city limits. Burning of household garbage, food waste, or discarded materials is prohibited. (Ord. 365-2016, 8-9-2016)

### 5-3-2: EXCEPTIONS; OPEN BURNING:

- A. **Ban On Burning:** The mayor, after seeking advice of the fire chief, may declare a ban on burning within the municipal limits of the city of Three Forks. Such ban shall continue for the duration of the period and may be lifted by the mayor. The mayor shall provide the council with the information supporting the declared ban on burning and shall inform the council when such a ban is lifted. This ban shall apply to all exceptions listed in this chapter. (Ord. 358-15, 7-28-2015)
- B. **City Authorization:** Open burning of the following types may be allowed, in compliance with fire department guidelines. All fires must be attended at all times. (Ord. 365-2016, 8-9-2016)
1. **Bonfires:** Ceremonial or controlled bonfires with the approval of the fire department and the city council;
  2. **Training Fires:** Fires set for the purpose of a bona fide instruction and training of public, institutional or industrial employees in the methods of firefighting. (Ord. 358-15, 7-28-2015)
- C. **Certain Burning Allowed:**
1. Open burning for campfires and outdoor cooking is allowed.
  2. Burning of leaves and small branches is allowed in burn barrels or fire structures not exceeding forty eight inches (48") in diameter, or in small debris piles not exceeding thirty six inches (36") in diameter, if done in a safe manner. (Ord. 365-2016, 8-9-2016)
- D. **County Permit:** Any burning allowed pursuant to and with the possession of a Gallatin County burning permit. (Ord. 358-15, 7-28-2015)

**5-3-3: PENALTY:**

The penalty for a violation of any provisions of this chapter shall be a misdemeanor punishable as provided in section [1-4-1](#) of this code. (Ord. 259-99, 7-13-1999; amd. 2000 Code)