



Est. 1872

City of Lebanon Fire Department

The Desire to Serve- The Courage to Act- The Ability to Perform

CITY OF LEBANON OPEN BURNING ORDINANCE #2009-10 EFFECTIVE NOVEMBER 30th 2009

09.10 General Precautions Against Fire

09.10.01 OPEN BURNING PROHIBITED

No person shall openly burn any material except as provided in 325 IAC 4-1-3 or 325 IAC 4-1-4.

09.10.02 PRIOR APPROVAL FOR CERTAIN FIRES REQUIRED

(A) Burning with prior approval of the Indiana Air Pollution Control Board or its designated agent may be authorized for the following:

- (1) Emergency burning of spilled petroleum products when all reasonable efforts to recover the spilled material have been made and failure to burn would result in an imminent fire hazard or water pollution problem;
- (2) Burning of refuse consisting of material resulting from a natural disaster;
- (3) Burning for the purpose of fire training;
- (4) Burning of natural growth derived from a clearing operation, i.e., removal of natural growth for change in use of the land;
- (5) Burning of highly explosive or other dangerous materials for which no alternative disposal method exists or where transportation of such materials is impossible.

(B) Burning not exempted by 325 IAC 4-1-3 may be permitted with prior receipt of a variance application and approval of the Indiana Air Pollution Control Board or its designated agent.

(C) It is the responsibility of the property owner or business owner, whichever is pertinent, to contact the IAPCB for this approval.

92.10.03 EXEMPTIONS

The nature and quantity of smoke generated by burning will vary with the material burned and the conditions under which it is burned. However, any smoke will contain pollutants, some of which are toxic and harmful to health. Thus it is the position of the Office of Air Management that any burning that does not serve a useful function, or for which alternatives are available, should be discouraged. It is recognized that burning has traditionally been a quick and cheap means of disposal of unwanted materials. In most instances, given the environmental and health impacts, burning can no longer be justified.

(A) The following types of fires are permitted within the Lebanon City Limits:

Lebanon Fire Department Headquarters

975 Lasley Drive, Lebanon, IN 46052

765-482-8827

Lebanon.IN.gov



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- (1) Fires used for recreational and cooking purposes, i.e., camp fires; (must notify the Fire Department 24 hours before setting these fires) (cooking grills and backyard fireplaces are exempt from notification):
 - (2) Residential and commercial burning: burning is absolutely prohibited in apartment complexes, at commercial properties, in downtown areas and at mobile home parks. Burning is allowed where the residence contains three or fewer units:
 - (a) Burning shall be in a noncombustible container sufficiently vented to induce adequate primary combustion air with enclosed sides, a bottom, and a mesh covering with openings no larger than 1¼ inch square.
 - (b) Burning shall be constantly attended by at least one adult having an attached working water hose (garden type) or a 10# ABC Fire Extinguisher present.
 - (c) Burning shall be conducted starting one-half (½) hour after sunrise and completely extinguished one-half (½) hour before sunset.
 - (d) Burning prohibited in areas that are within 25 feet of any structure or public right-of-way.

(B) All exemptions shall be subject to the following:

- (1) Only wood products shall be burned unless otherwise stated above; ie: limbs, paper and untreated and uncoated lumber. The burning of leaves is prohibited in the City of Lebanon. They are to be raked to the edge of the road for City pick-up. No garbage or tires are to be burned.
- (2) Fires shall be attended at all times until completely extinguished;
- (3) If fires are determined by members of the Lebanon Fire Department to create an air pollution problem, a nuisance, or a fire hazard, they shall be extinguished; The Lebanon Fire Department shall have the authority to enter on to any property for purposes of extinguishing any fire which creates an air pollution problem, a nuisance, or a fire hazard.
- (4) No burning shall be conducted during unfavorable meteorological conditions such as temperature inversions, high winds, air stagnation, Statewide, Countywide or Citywide Fire Watch/restrictions, etc.

09.10.04 LIABILITY

Any person who allows the accumulation or existence of combustible material, which constitutes or contributes to a fire causing air pollution or property damage, shall not be excused from responsibility thereof on the basis that said fire was set by vandals, accidental or an act of God.