

**TOWN OF MARCELLUS**  
24 East Main Street, Marcellus, NY 13108  
315-673-3269 / FAX: 315-673-9102

# BURNING PERMIT

Approval of this permit shall be subject to an inspection by the Town of Marcellus Code Enforcement Official.

Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Owner Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Address of Open Fire (if different): \_\_\_\_\_

Person Supervising Open Fire: \_\_\_\_\_ Phone: \_\_\_\_\_

Type of Open Burning:     Limb and Branch Disposal     Ceremonial or Celebratory Bonfire  
 Agricultural Waste     Prescribed Burn     Structure (fire department only)

Diameter of fuel area (in feet): \_\_\_\_\_ Distance of burn site from nearest structure: \_\_\_\_\_

Method for controlling and extinguishing fire: \_\_\_\_\_

Date of burn (if specific date is desired): \_\_\_\_\_

**Applicant Certification:**

I hereby agree to all conditions of this permit (see below and reverse side) and understand that the Town of Marcellus Code Enforcement Official or Marcellus Fire Chief or their representative may extinguish or cause to be extinguished any open fire for which a burn permit has been issued if in their professional opinion such fire is in violation of the conditions of this permit; is creating a public nuisance; is endangering or is likely to endanger any person's health or property or if the burning is being conducted in an unsafe manner.

**Consent to Enter Property:**

I recognize that by signing this application I am giving consent to employees of the Town of Marcellus to enter the subject property for the purpose of obtaining information relevant to the processing of this application. I also understand that by acceptance of a permit I agree to allow representatives of the Town of Marcellus access to the properties covered by the permit at reasonable times for the purpose of ascertaining compliance with the permit.

**Notification is to be made to Onondaga County Fire Control before starting and upon completion of any open fire larger than 3-feet in diameter by calling: 435-8881**

Signature of Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_

- OFFICIAL USE ONLY -

Denied    Reason: \_\_\_\_\_

Approved     Approved For Fire Department Use Only    Permit No.: \_\_\_\_\_

Valid From: \_\_\_\_\_ To: \_\_\_\_\_ Valid for burning on \_\_\_\_\_ days

Approved/Denied By: \_\_\_\_\_ Date: \_\_\_\_\_

The following conditions apply in addition to those on the reverse side of this application:

\_\_\_\_\_  
\_\_\_\_\_

### **Conditions of Permit:**

A person shall not kindle or maintain or authorize to be kindled or maintained any open fire unless approved and conducted in accordance with the conditions listed below. The code official may limit the size of the burn pile or deny the permit based upon local conditions including the proximity of neighbors and structures.

**Open Fire.** Any outdoor fire or outdoor smoke producing process from which air contaminants are emitted directly into the outdoor atmosphere. Open fires include burning in barrels or modified barrels.

#### **1) Open Fires Allowed Without a Burning Permit**

- a. Camp fires less than three feet in height and width or diameter.

#### **2) General Prohibitions**

- a. Burning an open fire greater than 10-feet in diameter without prior fire department consent.
- b. Burning tires, fuel oil or similar materials that cause visible emissions to ignite or to sustain an open fire.
- c. Burning construction debris, garbage, refuse or rubbish including paper and cardboard.
- d. Burning stumps or roots that are still in the ground or caked with dirt.
- e. Burning an open fire that will be offensive or objectionable due to smoke or odor emissions, or burning during any stage of an air pollution episode.
- f. Burning an open fire when the NYS DEC or the Town of Marcellus Code Enforcement Official announces a period of high fire danger or when local circumstances make such fires hazardous.

#### **3) General Requirements**

- a. Notification is to be made to Onondaga County Fire Control before starting and upon completion of any open fire larger than 3-feet in diameter by calling 435-8881.
- b. The location for an open fire shall not be less than 50 feet from any structure (more where required by the code enforcement official) and provisions shall be made to prevent the fire from spreading to within 50 feet of any structure.
- c. The open fire shall be constantly attended until the fire is extinguished.
- d. The open fire shall not be allowed to smolder and shall be completely extinguished when finished.
- e. A minimum of one portable fire extinguisher complying with Fire Code of New York State with a minimum 4-A rating or other approved on-site fire-extinguishing equipment such as dirt, sand, water barrel, garden hose or water truck shall be available for immediate utilization.
- f. Should it become necessary for the Town of Marcellus Code Enforcement Official or Fire Chief to cause the suppression of any fire the permit holder shall pay the entire cost of suppression.
- g. The permit holder shall be liable for damage to trees or other property resulting from the open fire.
- h. The permit holder shall show this permit to any person who requests to see it.

#### **4) Specific Regulations for Permitted Open Fires**

- a. On-site Burning of Downed Limbs and Branches (including those with attached leaves or needles)
  - i. Permitted only between May 15th and the following March 15<sup>th</sup>.
  - ii. Branches and limbs must be less than six inches in diameter and less than eight feet in length.
- b. On-site Burning of Agricultural Wastes  
Allowed as part of a valid agricultural operation on contiguous agricultural lands larger than five acres actively devoted to agricultural or horticultural use, provided such waste is actually grown or generated on those lands and such waste is capable of being fully burned within a 24-hour period.
  - i. Agricultural land. The land and on-farm buildings, equipment, manure processing and handling facilities, and practices that contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise.
  - ii. Agricultural Waste. Any waste from naturally grown products such as vines, trees and branches from orchards, leaves and stubble. In addition, any fully organic waste either grown or generated on the premises, including but not limited to paper feed bags, wood shavings used for livestock bedding, bailing twine, and other non-plastic materials. Agricultural waste does not include pesticide containers, fertilizer bags, large plastic storage bags (including bags commonly known as "Ag bags"), offal, tires, plastic feed bags, and other plastic or synthetic materials.
- c. Ceremonial or Celebratory Bonfires
  - i. Permitted where not otherwise prohibited by law, provided that only untreated wood or other agricultural products are used as fuel and the fire is not left unattended until extinguished.
- d. Fire Training Performed on Acquired Structures
  - i. The structures must be emptied and stripped of any material that is toxic, hazardous or likely to emit toxic smoke (such as asbestos, asphalt shingles and vinyl siding or other vinyl products) prior to burning and must be at least 300 feet from other occupied structures.