



FIR 3.08 - OUTDOOR BURNING & BURNING GUIDELINES

I. SCOPE

- A. This policy is established May 12, 1993.
- B. Purpose: to clarify procedures for issuing burning permits and dealing with illegal burns and to provide a guideline to the Fire Marshal when preparing to declare a ban on burning.
- C. This policy applies within all areas in which Portland Fire & Rescue (PF&R) has authority.
- D. Burning restrictions vary depending on several factors, including but not limited to: location, weather, type of burning, equipment used, and air quality. This policy prescribes requirements for and prohibitions of open burning for areas in PF&R's jurisdiction.

II. SPECIFIC

A. References

- 1. 2016 Portland Fire Code (PFC) Section 307
- 2. PF&R Operational Guideline 6.12
- 3. Oregon Administrative Rules (OAR) DEQ, Chapter 340, 340-264-0070 & -0130
- 4. OAR Chapter 837, 837-110-0090
- 5. 2014 Oregon Structural Specialty Code (OSSC) Chapter 21

B. Definitions

- 1. Agricultural Open Burning
 - a. The open burning of any waste or material actually generated or used in the production or sale of an agricultural commodity.
 - b. DOES NOT INCLUDE: waste from processing or manufacturing operations, wet garbage, plastic, wire insulation, automobile parts, asphalt, petroleum products, petroleum treated material, rubber products, animal remains, or animal or vegetable matter resulting from the handling, preparation, cooking, or service of food, or any other material which normally emits dense smoke or noxious odors.

2. Ceremonial / Bon Fire Burning
 - a. A fire built of dry wood for an organized function (e. g. Homecoming game, religious functions, etc.) under permit from the Fire Marshal's Office (FMO).
 - b. OAR 340-264-0030 (18), (19), (29), (a), (b), (c), 340-264-0040 (1).
3. Domestic Open Burning
 - a. Open burning of domestic waste, such as household waste, paper, cardboard, clothing, yard debris or other materials generated in or around a dwelling of 4 or fewer family living units.
 - b. Other categories of 'open burning' include Commercial, Construction, Demolition, and Industrial. These categories of burning are prohibited.
4. Recreational Burning
 - a. Burning clean, dry, cord type firewood in a standard campfire type setting.
 - b. This type of burning is legal within all areas but is subject to other rules and officer discretion.

NOTE: During severe winter weather conditions, the officer has the discretion to allow a fire to remain for warming and cooking purposes, only if it is not a threat to a structure or a wildland fire danger.

III. GUIDANCE

- A. Fires NOT Addressed by the Department of Environmental Quality (DEQ) Rules
 1. Barbecue equipment.
 2. Fires permitted by any public agency, when set or permitted in the performance of official duty.
 3. Fires used pursuant to a permit for the purpose of instruction of employees of private industrial concerns in methods of fire fighting. An approved instructor must be present. OAR 340-264-0040.
 4. Recreational burning as defined here.
 5. Ceremonial/bon fire burning under permit from the FMO.
- B. Procedures for Permitting Open Burning
 1. Burning permits are required for all types of outdoor burning except legal, recreational fires. There is no charge for burning permits.
 2. Ceremonial Fires / Bon Fires
 - a. The FMO issues permits for ceremonial fires/bon fires. Refer to PFC section 307.4.1 and the instructions listed on the permit application form #300.05CC.
 - b. Written authorization from the property owner is required. The owner authorization must be signed, dated, and provided with the permit application.

3. Domestic Open Burning
 - a. Domestic open burning is regulated by DEQ. The City of Portland is extensively inside the DEQ burn ban area.
 - b. There is a small pocket north of Sandy Boulevard, and another south of Powell (near 182nd Avenue in both cases) that are outside the burn ban boundary.
 - c. The FMO may issue permits for the small pockets within the City of Portland that are outside the DEQ burn ban boundary. See the permit for restrictions and safety precautions and the map in the open burning notebook for boundary information.
 4. Sweat Lodge
 - a. The FMO issues permits for sweat lodges. Refer to the conditions on the permit application form #300.05 SL.
 5. Agricultural Burning
 - a. The FMO issues permits for agricultural burning. Refer to the Oregon Revised Statutes (ORS) language in the open burning notebook, PFC section 307, and the information printed on the Agricultural Burning permit.
- C. Rules that Apply to Legal Recreational Fires
1. The fire must be built in a pit or pan prepared for this purpose.
 2. The fire must not be larger than a standard campfire: the burn pile must be less than 3 feet in diameter and less than 2 feet in height.
 3. A recreational fire located in a pit must be 25 feet or more from any structure.
 4. Fires contained in fireplace-type receptacles or chimeneas must be 15 feet or more from any structure or combustible materials (including wood fencing). **One and two-family dwellings are exempt** from this requirement, but extreme caution should still be used when fireplace-type receptacles or chimeneas are closer than 15 feet to a structure or combustible materials.
 5. When required by the Fire Marshal, outdoor burning device stacks shall be equipped with a spark-arresting, 12-gauge wire mesh screen with openings of not less than 3/8" or more than 1/2".
 6. A responsible person shall always be in attendance of the recreational fire and have approved fire-extinguishing equipment close by.
 7. Burning of garbage or similar material is not allowed in recreational fires.
 8. Observe common safety practices while enjoying the recreational fire, e.g. cease burning if the wind picks up to 15 mph or higher, be careful with the consumption of alcohol by any persons around the fire, watch small children in the vicinity, etc.
- D. Actions for Non-Permitted or Unsafe Fires
1. Non-permitted or unsafe fires may result in a burning violation referral to the FMO.
 2. Citations can be issued for burning violations. See FIR-12.01 Fire Regulations Fee Schedule for citation amounts.

IV. ESTABLISHING A BURNING BAN

- A. When weather conditions remain dry, hot, or windy, or any combination of these, for an extended period, it may be necessary for the Fire Marshal to impose either a limited or total ban on outdoor burning.
- B. The following conditions shall be used to determine when outdoor burning will be limited or banned:
 - 1. Temperature reaches 95 degrees Fahrenheit or above.
 - 2. Relative Humidity reaches 30% or below.
 - 3. Wind speed reaches 15 miles per hour or above.



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Effective Date:	May 12, 1993
Reviewed By:	K. Schimel
Review Date:	April 2, 2020
Revised By:	D. Harrison
Revisio Date:	June 27, 2019