

Outdoor burning which is otherwise authorized shall also be subject to the following requirements

- (1) Prior to prescribed or controlled burning, the Bandera County Sheriff's dispatch should be notified At: 830-796-3771
- (2) Burning must be outside the corporate limits of a city or town except where the incorporated city or town has enacted ordinances which permit burning consistent with the Texas Clean Air Act, Subchapter E, Authority of Local Governments.
- (3) Burning shall be commenced and conducted only when wind direction and other meteorological conditions are such that smoke and other pollutants will not cause adverse effects to any public road, landing strip, navigable water, or off-site structure containing sensitive receptor(s).
- (4) If at any time the burning causes or may tend to cause smoke to blow onto or across a road or highway, it is the responsibility of the person initiating the burn to post flag-persons on affected roads.
- (5) **Burning must be conducted downwind of or at least 300 feet (90 meters) from any structure containing sensitive receptors located on adjacent properties unless prior written approval is obtained from the adjacent occupant,**
- (6) Burning shall be conducted in compliance with the following meteorological and timing considerations:
 - (A) **The initiation of burning shall commence no earlier than one hour after sunrise. Burning shall be completed on the same day not later than one hour before sunset, and shall be attended by a responsible party at all times during the active burn phase when the fire is progressing. In cases where residual fires and/or smoldering objects continue to emit smoke after this time, such areas shall be extinguished if the smoke from these areas has the potential to create a nuisance or traffic hazard condition. In no case shall the extent of the burn area be allowed to increase after this time.**
 - (B) **Burning shall not be commenced when surface wind speed is predicted to be less than six miles per hour (mph) (five knots) or greater than 23 mph (20 knots) during the burn period.**
 - (C) Burning shall not be conducted during periods of actual or predicted persistent low-level atmospheric temperature inversions. (Fire marshal will determine by advising of a county burn ban)
- (7) **Electrical insulation, treated lumber, plastics, non-wood construction/demolition materials, heavy oils, asphaltic materials, potentially explosive materials, chemical wastes, and items containing natural or synthetic rubber must not be burned.**

* For additional questions call your local fire dept.
Or the Fire Marshals office at; 830-688-1093

****NOTE THE FIRE CHIEF HAS THE AUTHORITY TO DISALLOW OR ORDER TO EXTINGUISH BECAUSE OF SPECIAL HAZARDS.****

Common questions

1. My neighbor burns trash and it bothers me

If smoke from a fire affects a person in a negative way the fire must be extinguished, further if the area where you plan on burning is within 300 feet of a neighbor you are required to have written permission to burn.

2. When can I burn?

The initiation of burning shall commence no earlier than one hour after sunrise. Burning shall be completed on the same day not later than one hour before sunset, and shall be attended by a responsible party at all times during the active burn phase when the fire is progressing

3. What can I burn?

Brush and cut trees must be from the same property where the burn is going to happen. Electrical insulation, treated lumber, plastics, non-wood construction/demolition materials, heavy oils, asphaltic materials, potentially explosive materials, chemical wastes, and items containing natural or synthetic rubber must not be burned. A general rule is that if the burning emits black smoke most likely the material burned is illegal.

4. I'm a contractor doing demo on a house can I burn the waste?

No it must be disposed of by proper means such as hauled to an approved landfill

5. Does the fire have to be extinguished completely at night or before I leave?

Burning shall be attended by a responsible party at all times during the active burn phase when the fire is progressing. In cases where residual fires and/or smoldering objects continue to emit smoke after this time, such areas shall be extinguished if the smoke from these areas has the potential to create a nuisance or traffic hazard condition. In no case shall the extent of the burn area be allowed to increase after this time.

**NOTE: in most all cases you are responsible for any damage caused by leaving a smoldering fire, civil and criminal charges may be applied. The law allows for a person to potentially be charged with ARSON if a person is reckless about burning and the fire damages another's property*

6. I cannot burn at my residence can I take my trash or brush to another property and burn it?

No the items to be burned must have been generated from the property where the burn will occur

7. Should I call the sheriff's dispatch prior to burning?

Yes, doing so will allow you to be aware of pertinent information that may make it illegal to burn such as burn bans, red flag days, or to be aware of conditions that make burning dangerous such as changing weather conditions.

8. What are the fines for illegal burning?

Fines are determined in accordance with the Health and Safety Code as follows;

- (1) a Class C misdemeanor
- (2) a Class B misdemeanor if the violation is a second or subsequent violation
- (3) a Class A misdemeanor if the violation involves the burning of tires, insulation on electrical wire or cable, treated lumber, plastics, non-wood construction or demolition materials, heavy oils, asphaltic materials, potentially explosive materials, furniture, carpet, chemical wastes, or items containing natural or synthetic rubber.