

# Burning Ordinance

Acceptable burning/ fires



## Carmel Fire Dept. Prevention Division

### Open Burning Guidelines

The following guidelines are provided to assist you in complying with Carmel's open burning laws and regulations. They are for informational purposes only, and do not modify existing law. To the extent an applicable federal, state, or local law or regulation conflicts with these guidelines, the former takes preference. If you have any questions, please contact the Carmel Fire Marshall's office.

### **Open Burning Prohibited**

As a rule, **open burning is strictly prohibited within the City of Carmel.** The only exceptions are outdoor propane and natural gas grills and certain campfires. Disposal open burning is never allowed within our City.

### **Campfires**

Campfires are prohibited in apartment complexes, mobile home parks, and residences that contain five (5) or more units.

Campfires are otherwise permitted, subject to the following strictly enforced conditions:

- Campfires may be used for recreational or cooking purposes only.
- Ground campfires must be at least 25 feet from any combustible structure or object, no larger than 3' x 3' x 2' in cubic size and completely encircled with a stone or other non-combustible border.

- All other campfires must be at least 25 feet from any combustible structure or object, no larger than 5' x 5' x 5' in cubic size, and contained within a noncombustible container sufficiently vented to induce combustion, with enclosed sides, a bottom, and a mesh covering with openings one quarter of a square inch or less in size, or within a professionally designed fire pit/fireplace approved by the City.
- Campfires may burn commercial fire-starters and untreated wood only.
- Campfires must have an appropriate means of extinguishment present at all times.
- Campfires must be monitored constantly from ignition to extinguishment.
- Campfires are prohibited when the wind speed is less than 5 m.p.h. or greater than 15 m.p.h.
- Campfires are prohibited on public streets, alleys, rights-of-way, sidewalks, and multi-use paths.
- Campfires are prohibited within 100 feet of a power line and 25 feet from any combustible structure or object owned by another party.
- Any campfire that creates dense and lingering smoke or fumes, that becomes a fire or health hazard, or that creates a nuisance must be extinguished. **Note: A “nuisance” can be created by a campfire that results in a complaint being made by any downwind property owner or occupant and confirmed by a responding City fire official.**

### **Penalties**

Any person who violates Carmel’s open burning law is subject to a fine of up to \$500 for each violation. Please follow the law and be considerate of your neighbors when enjoying your campfire.

**THE CARMEL FIRE DEPARTMENT THANKS YOU**

## **Agricultural/Farm Burning:**

Under Indiana Code § 13-17-9-1(a)(1)(A), a person may open burn vegetation from a farm for “maintenance purposes.” Moreover, the Unified Development Ordinance, incorporated into Carmel City Code under § 10-1, defines a “Farm” as:

A tract of land comprising an area of at least three (3) acres which is devoted to agricultural operations, such as forestry; the growing of crops; pasturage; the production of livestock and poultry; the growing of trees, shrubs and plants; and other recognized agricultural pursuits and including Accessory Buildings essential to the operation of the farm. Accessory Buildings may include barns; equipment and animal sheds; farm residences for the owner, operator or farm assistants; roadside sales Structure for the sale of products of the farm, not including industrial or commercial operations or Structures or feedlots.

As such, **any area in the City’s corporate limits that meets the above definition of a “farm” is exempt from the general outdoor burning restrictions and/or permitting requirements for the burning of farm vegetation for maintenance purposes.** That said, under Carmel City Code § 6-146(b), any open burn, including farm burning, is subject to the following restrictions:

- (1) Only untreated wood products shall be burned unless otherwise stated.
- (2) Fires shall be attended at all times until completely extinguished.
- (3) If fires create an air pollution problem, a nuisance, a health hazard, or a fire hazard, they shall be extinguished. A nuisance shall be defined so as to include a complaint regarding the burning from any downwind property owner or occupant.
- (4) All residential burning shall occur between sunrise and sunset, during which the fires may be replenished, but only in such a manner that all of the burning material is consumed by sunset.
- (5) No burning shall be conducted unless the wind is at least 5 m.p.h. and no more than 15 m.p.h.
- (6) No burning shall be conducted on property owned by another party, including publicly-owned streets, roads, and highways.

- (7) No burning shall be conducted within 100 feet of a structure owned by another party.
- (8) No burning shall be conducted within 100 feet of a power line.