

**CODE OF THE TOWN OF VAN BUREN NEW YORK, v20 Updated 04-01-2010 /  
PART II GENERAL LEGISLATION / Chapter 99, BURNING, OUTDOOR**

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**Chapter 99, BURNING, OUTDOOR**

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[HISTORY: Adopted by the Town Board of the Town of Van Buren 4-20-1995 by L.L. No. 1-1995. Amendments noted where applicable.]

**GENERAL REFERENCES**

- Buildings, unsafe -- See Ch. 96.**
- Fire prevention -- See Ch. 115.**
- Solid waste -- See Ch. 162.**
- Subdivision of land -- See Ch. 175.**
- Zoning -- See Ch. 200.**

**CODE OF THE TOWN OF VAN BUREN NEW YORK, v20 Updated 04-01-2010 /  
PART II GENERAL LEGISLATION / Chapter 99, BURNING, OUTDOOR / § 99-1.  
Burning of materials restricted. [Amended 7-6-2004 by L.L. No. 3-2004]**

**§ 99-1. Burning of materials restricted. [Amended 7-6-2004 by L.L. No. 3-2004]**

No person, firm or corporation or any other body owning, controlling or possessing a building, structure or real property in the Town of Van Buren shall permit, cause, suffer or allow the outdoor burning of any material at any time for any cause without a permit as required herein except as may be allowed in these regulations.

- A. After the issuance of a permit by the Fire Marshal, the following items may be burned in accordance with the terms of said permit. Only such trees, brush or other clean, untreated wood products and similar material may be burned, as approved by the Fire Marshal, The permit application shall be a form provided by the Fire Marshal of the Town of Van Buren and shall include such detail so as to determine compliance with these regulations. All applications shall be signed by the Chief of the fire department which provides protection to the property where the burning is to take place, and after such shall be submitted and reviewed by the Fire Marshal, the Fire Marshal shall issue a permit if in conformance with these regulations. A copy of an issued permit shall be sent to the approving Fire Chief
- B. These regulations shall not apply to the following:
  - (1) Any duly conducted fire department training exercise.
  - (2) The operation of any established farm practice in an Agriculture/Residence 80 Zoning

District.

- (3) Cooking of food in an approved contained burning pit (not to exceed three feet in diameter), barbeque or fireplace, so long as such is not a fire hazard. [Amended 2-2-2010 by L.L. No. 1-2010]
- C. No open burning of any type is allowed between March 15 and May 15. [Added 2-2-2010 by L.L. No. 1-2010]

**CODE OF THE TOWN OF VAN BUREN NEW YORK, v20 Updated 04-01-2010 /  
PART II GENERAL LEGISLATION / Chapter 99, BURNING, OUTDOOR / § 99-2.  
Location. [Amended 7-6-2004 by L.L. No. 3-2004]**

**§ 99-2. Location. [Amended 7-6-2004 by L.L. No. 3-2004]**

- A. Outdoor burning of all materials is prohibited upon property located in R-10, R-15, R-20 and PUD Zoning Districts. This prohibition shall not apply to the cooking of food in an approved contained burning pit (not to exceed three feet in diameter), barbeque or fireplace, so long as such is not a fire hazard. [Amended 2-2-2010 by L.L. No. 1-2010]
- B. No burning shall be done within 50 feet of any structure or property line unless adequate containment provisions are established and approved by the Fire Chief and the Fire Marshal, but in no case less than 15 feet from any structure or dwelling.

**CODE OF THE TOWN OF VAN BUREN NEW YORK, v20 Updated 04-01-2010 /  
PART II GENERAL LEGISLATION / Chapter 99, BURNING, OUTDOOR / § 99-3.  
Permit conditions. [Amended 2-2-2010 by L.L. No. 1-2010]**

**§ 99-3. Permit conditions. [Amended 2-2-2010 by L.L. No. 1-2010]**

The following conditions are applicable to all permits:

- A. No petroleum products or material other than wood products shall be used to start or maintain any fire.
- B. The size of the burn pile shall be limited to eight feet by eight feet, and tree limbs in excess of six inches in diameter shall not be burned.
- C. Tree stumps and roots shall not be burned.
- D. Leaves shall not be burned.

- E. Fires shall be started only on days when the prevailing wind is away from populated areas and so as not to be a hazard to any person, building or structure.
- F. All fires shall comply with all applicable codes, rules and regulations, including, but not limited to, the New York State Department of Environmental Conservation regulations, the New York State Uniform Fire Prevention and Building Code and the National Fire Protection Association Codes.
- G. All fires shall be attended at all times, with proper extinguishing equipment available as required by the Fire Chief.
- H. The permit holder shall be liable for any damage caused by any fire ignited by or covered by any permit issued to him.
- I. All fires shall be extinguished at any time by order of the Fire Chief or Fire Marshal after complaint or existence of hazardous conditions or other applicable laws have been violated. Permits may be revoked upon finding that the regulations, conditions or other applicable laws have been violated.

TOWN OF VAN BUREN

Fire Marshal's Office

Phone 635-3604

Application for Restricted Burning Permit

Applicants Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_ - \_\_\_\_

Property Address where burning is to take place: \_\_\_\_\_

Fire District/Department: \_\_\_\_\_

Requested Start date: \_\_\_\_\_ End date: \_\_\_\_\_

Permit Fee (\$25.00 per quarter/\$100.00 year) \_\_\_\_\_

Type of Material to be Burned: \_\_\_\_\_

On Site Emergency Equipment (extinguishment): \_\_\_\_\_

**Applicant is responsible to secure Fire Chiefs Signature**

I HEREBY CERTIFY THAT ALL INFORMATION GIVEN ABOVE IS TRUE AND THAT I HAVE READ, UNDERSTAND AND AGREE TO ABIDE BY THE REGULATIONS PRESCRIBED BY THE TOWN OF VAN BUREN ZONING ORDINANCE.

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Applicants Signature                      Date                      Print Name

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Fire Chiefs Signature                      Date                      Approve                      Deny

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Fire Marshal                      Approved                      Deny

Permit Number: \_\_\_\_\_                      Expiration Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

**ADDITIONAL CONDITIONS**

1. No Open Burning allowed from March 15<sup>th</sup> - May 15<sup>th</sup>
2. Call Fire Control before you start burning at 435-8881.
3. No burning after Sunset
4. Applicant must attend Fire at All Times
5. Burn pile not to exceed 8' x 8'
6. Tree limbs not to exceed 6" dia.
7. No burn barrels allowed