

Burn Permit Requirements



1. **Burn permit** must be in your possession while you are burning. This burn permit allows burning of vegetative materials that are generated only from the property listed on the permit and conducted by or for the occupants of residential dwellings, but does not include the burning of household waste or prohibited materials. Residential/commercial burning must be conducted on a single contiguous property designed for and used as such.
2. **Allowable burn hours:** **8:00 a.m. to 4:00 p.m. April 1 through September 30**
9:00 a.m. to 4:30 p.m. October 1 through March 31
3. **Wind speed:** While burning, wind shall not be less than 5 miles per hour or greater than 15 miles per hour.



4. **Distance:** Burning pit, burning pile, or approved waste burner must be at least 50 ft from any dwelling unit.
5. **Fire control:** Burning must be constantly attended, with reasonable control tools (water or dirt) on hand at all times.
6. Completely **extinguish** fire prior to the time designated above.
7. **Fire size:** Recreational fires total fuel area of 3 ft or less in diameter and 2 ft or less in height.
8. **Igniting:** Use items that do not cause the production of black smoke.
9. **Fire Dept Approval:** Permit must be validated by fire dept/district to be effective. The permittee is solely responsible for complying with fire dept/district requirements or restrictions.
10. Whenever a **High Pollution Advisory** has been issued, burning is prohibited in Area A (Apache Junction, Gold Canyon, San Tan Valley, Queen Creek and portions of Florence). Visit <http://pinalcountyaz.gov/AirQuality/Pages/BurnPermits.aspx> to determine if a High Pollution Advisory has been issued. Homes with wood burning as the sole source of heat may still burn.
11. Burning that creates a nuisance or generates noxious fumes is forbidden.
12. **No refunds** or permit extensions, even if burning is banned and permit authority suspended.
13. The Control Officer may **cancel** this permit, pursuant to Code 3-8-700.F, during periods of inadequate smoke dispersion or visibility impairment, or if smoke is causing a nuisance.

14. Submit to PCAQCD information for each date open burning occurred, on either a daily basis on the day of the fire, or after the burn permit-period ends, or in a calendar-year report prior to April 1 of the following year. The report form will be provided by PCAQCD.
15. **Returned checks are subject to a \$25.00 NSF fee.**

BURNING ANY OF THE FOLLOWING IS PROHIBITED:

1. Non-paper garbage from the processing, storage, service, or consumption of food
2. Chemically treated wood – lead painted wood
3. Linoleum flooring or composite counter-tops
4. Tires, waste petroleum products, crankcase oil, transmission oil & filters, transformer oils, batteries, and anti-freeze
5. Explosives or ammunition
6. Asphalt shingles, tar paper
7. Plastic & rubber products, plastic bags & retail bags, bottles for household chemicals
8. Oleanders
9. Asbestos
10. Aerosol spray cans
11. Electrical wire insulation, thermal insulation, polyester products
12. Paints, pesticides, cleaners, solvents, stains, varnishes & other flammable liquids
13. Plastic pesticide bags & containers
14. Hazardous material containers including those that contained lead, cadmium, mercury, or arsenic compounds

§13-1706 Reckless Burning (Burning of Wildlands; Exceptions; Classification)

- A. It is unlawful for any person, without lawful authority, to intentionally, knowingly, recklessly or with criminal negligence to set or cause to be set on fire any wild land other than the person's own or to permit a fire that was set or caused to be set by the person to pass from the persons' own grounds to the grounds of another person.
- B. This section does not apply to any of the following:
 1. Open burning that is lawfully conducted in the course of agricultural operations.
 2. Fire management operations that are conducted by a political subdivision.
 3. Prescribed or controlled burns that are conducted with written authority from the state forester.
 4. Lawful activities that are conducted pursuant to any rule, regulation or policy that is adopted by a state, tribal or federal agency.
 5. In absence of a fire ban or other burn restrictions to a person on public lands, setting a fire for purposes of cooking or warming that does not spread sufficiently from its source to require action by a fire control agency.
- C. A person who violates this section is guilty of an offense as follows:
 1. If done with criminal negligence, the offense is a **Class 2 misdemeanor**.
 2. If done recklessly, the offense is a **Class 1 misdemeanor**.
 3. If done intentionally or knowingly and the person knows or reasonably should know that the person's conduct violates any order or rule that is issued by a governmental entity and that prohibits, bans, restricts or otherwise regulates fires during periods of extreme fire hazard, the offense is a **Class 6 felony**.
 4. If done intentionally and the person's conduct places another person in danger of death or serious bodily injury or places any building or occupied structure of another person in danger of damage, the offense is a **Class 3 felony**.