

August 7, 2007

Ray:

We had a couple come to our board meeting last night and distributed a petition to the board in order to have open burning banned within our city limits. This stemmed from their neighbor burning some trees and other brush they had accumulated after cleaning up their property. The people having the clean up done did obtain a burning permit before they began.

The lady complaining does have a breathing problem and said the smoke from her neighbor was penetrating into her home.

I looked online on the MTAS website and got some information on burning permits from the knowledgebase. Do the majority of the cities in TN allow open burning? If we should ban burning within the city limits, is there a state law that would supersede ours? We are just looking for answers. We don't believe there is any problem with our burning permit ordinance. This couple complained and we are just trying to obtain some information.

Thanks for your help.

Jennifer Branscum
City Recorder
City of Dresden

August 9, 2007

Does the City issue the burn permit? If yes, where in the Municipal Ordinances do you get your authority.

If this was a single isolated incident, I would not worry too much about it. If it happens several times per year, the Board may want to address it.

Without taking a survey, I can't tell you if most city prohibit open burning. However, several do prohibit it. My guess is that the majority do not.

Both the State forestry Department and the Department of Air Quality Control have regulations on open burning. A city may have stricter rules, but they cannot have rules that allow more than the State.

I have attached a PDF copy of the State Rules. Let me know if I can further assist you.

Ray Crouch, Sr.
Fire Management Consultant