



## Burn Permit Information – Yellowstone County

Due to changes in the Yellowstone County Burn Permits process, the following Question and Answer information will hopefully address any questions you may have about how burn permits are acquired and activated along with explaining how these changes will affect you as a burn permit holder.

### **Please Note:**

**Burn permits will be available via the website starting January 1, 2013.  
An \$8.00 fee per permit will be collected.**

### **How do I obtain a burn permit?**

Beginning January 1, 2013, online at <http://www.BurnPermits.mt.gov>

You may also purchase a burn permit in person using a debit/credit card, cash or electronic check at the following location:

- Yellowstone County Emergency and General Services Office, 217 N 27<sup>th</sup> Street, Room 312, Billings, MT (Yellowstone County Courthouse)

### **Why do we issue permits?**

- To limit the amount of time volunteers spend responding to non-emergency calls and instead allow them to focus on true emergencies.
- To prevent the unnecessary response of fire departments with active lights and sirens that put them at greater risk for potential accidents.
- To limit the number of calls placed to the emergency dispatch and reserve their efforts for true emergencies.
- To track the locations of all approved burns in Yellowstone County so dispatch can more easily determine whether a smoke plume/fire is an emergency such as a wildfire or structural fire. By tracking approved burns the fire department may not have to be dispatched each time smoke/fire is reported.

### **Why are we changing the way burn permits are issued?**

- To handle the sheer volume of burn activity in Yellowstone County. With over 2,000 permits issued each year and the potential for hundreds of activations in a single day, the dispatch center simply cannot handle such volume of non-emergency calls without interfering with true emergency traffic.

- To prevent delays for burn permit holders looking to activate a permit.
- To utilize technology to make the process of issuing permits, activating permits and tracking burn locations more efficient and cost effective for Yellowstone County.
- To provide the dispatch center with more tools to assist when determining if a report of smoke/fire is a controlled burn or a true emergency.
- To allow Yellowstone County residents the ability to obtain and activate burn permits 24 hours per day, 7 days per week on approved burn days.

## Why is there a cost now for my burn permit?

- To alleviate the costs associated with the development of new tools and technology to help identify a controlled burn versus a true emergency. This fee is intended to simply cover the cost of the development and implementation of the service.

## How do I activate my burn permit?

- Online at <http://www.BurnPermits.mt.gov>; click on activate burn permit, enter your burn permit number and follow the remaining steps.
- By calling our automated phone system at **1-855-567-2956**
- Please note, when activating a burn permit it is only active for a **single day**. Should you wish to burn for consecutive days **you must reactivate your permit for each day you intend to burn**.
- When entering a start and stop time for your burn it is important to be as accurate as possible to avoid potential deployment of fire department personnel.

## What responsibilities am I assuming when I light my burn?

- You must have enough water, hand tools/equipment, and people to keep your fire under control.
- If you do not activate your permit before burning the Fire Department may respond to your fire even though it is under control because dispatch is unaware it is a controlled burn.
- If the fire escapes your control, you may be cited and fined, as well as having to pay the cost of suppression and any damages caused to someone else's property.

## What are the possible fines?

- If a person burns without having a permit or for violating rules of a permit they do have, such as failing to activate it as required, violations can be charged under several laws.
  - MCA 7-33-2205 & 2206 deal with the fire seasons and permit requirements. Violations under those codes are a misdemeanor with fines possible up to \$500 and/or 6 months in jail.
  - If a person burns in a manner that is unsafe, damages property belonging to another, or places anyone in danger of injury or death, the arson laws apply. Negligent arson, MCA 45-6-102, can be either a misdemeanor or felony, depending on the circumstances. Misdemeanor charges can cost up to \$500 and/or up to 6 months in jail. Felony charges can cost up to \$50,000 and/or up to 10 years in prison.
- In all cases, restitution can be ordered separately from the criminal fine. Restitution may include but are not limited to paying damages to other property owners and paying for the firefighting resources.

## **When can I legally burn?**

- In Yellowstone County, residents are allowed to burn year round with a valid burn permit and upon activation.
- Burning is only allowed from sunrise to sunset. All burns must be completed by sunset.
- Due to weather, air quality issues or other applicable conditions burning may be closed on any given day. If burning is closed you are prohibited from burning in Yellowstone County and **the website and automated phone system will prevent you from activating your permit.**

## **The following items are prohibited from open burning at any time**

- Food Wastes
- Styrofoam and other plastics
- Wastes generating noxious odors
- Wood byproducts other than trade wastes, such as Papers or cardboard, unless a public or private garbage hauler or rural container system is unavailable.
- Poultry litter and animal droppings
- Dead animals or dead animal parts
- Tires, rubber materials, asphalt shingles, tarpaper
- Automobile bodies and interiors
- Insulated wire
- Oil and petroleum products
- Treated lumber and timbers
- Pathogenic wastes, hazardous wastes, trade wastes
- Any materials resulting from a salvage operation
- Chemicals

## **Who can I call if I still have questions?**

- Yellowstone County Emergency and General Services Department – 256-2775

**For more information, please visit**

**<http://www.BurnPermits.mt.gov>**