

16.0 OPEN BURNING

16.1 OPEN BURNING PROHIBITED

After the effective date of these regulations, no persons shall cause, suffer, allow, or permit open burning of any kind except as specifically permitted in this section.

16.2 EXCEPTIONS TO PROHIBITION - WITHOUT PERMIT

Open burning, as listed below, may be conducted without permits subject to specified limitations and provided further that no public nuisance is or will be created by such open burning. This grant of exemption shall in no way relieve the person responsible for such burning from the consequences or the damages, injuries, or claims resulting from such burning, or of the responsibility of obtaining any other permit from any other agency.

Fire used for cooking food, ceremonial or recreational purposes, including barbecues and outdoor fireplaces. This exception does not include commercial food preparation facilities and their operation.

16.3 EXCEPTIONS TO PROHIBITION - WITH PERMIT

Open burning may be allowed in Knox County outside the Knoxville City limits when a valid permit has been obtained from the Department for the following purposes prior to the initiation of the open burning providing no detriment to public health and no land, air, or water traffic hazard is created. Open burning within Knoxville City limits is expressly prohibited by City Ordinance #5556.

- A. Open burning may be conducted to clear land of brush wood (of which no part may exceed three (3) inches in diameter) grown on that land where the land is being maintained for the following purposes:
 - 1. Established private residences, consisting of one or two dwelling units.
 - 2. Farming operations, growing crops for human or animal consumption or raising livestock for human consumption. Note: commercial nursery operations are not included in this description. Commercial nursery operations are those businesses where plants (trees, shrubs, etc.) are grown for transplanting, for use as stocks for budding and grafting, or for sale.
 - 3. Established church congregational property.

This will not be construed to allow burning of materials cleared to prepare land for any construction purposes. NOTE: The term “brush wood” excludes leaves, grass clippings, and stumps.

- B. Open fires may be set for the training and instruction of public or private fire-fighting personnel.
- C. Open burning controlled by an air curtain destructor may be conducted when operated as directed by the Department.

16.4 OPEN BURNING CONDITIONS - WITH PERMIT

All open burning shall be between the hours of 9:00 a.m. and 3:00 p.m. or as authorized by the Department.

1. All vestiges of open burning shall be non-existent in the air no later than 4:00 p.m.
2. Under adverse meteorological or weather conditions as determined by the Director, all permits shall be invalid and no open burning shall be allowed.
3. Permits are only valid for (1) one day unless specified otherwise and the effective dates(s) for open burning shall appear on the permit form.
4. Permits for the operation of air curtain destructors or comfort heating must be posted at the job site.
5. The granting of an open burning permit shall in no way relieve the person responsible for such burning from the consequences or the damages, injuries, or claims resulting from such burning, or of the responsibility of obtaining any other permit from any other agency.

16.5 None of the exceptions listed in par. 16.2 or 16.3 are to be construed to allow the open burning of leaves, tires, plastics, synthetics, grass clippings, waste fluids, garbage, treated wood, wire insulation, or construction rubbish including, but not limited to shingles, siding, insulation, asphalt, or coal tar impregnated products, etc.

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