



### **TITLE 30 TAG #111.203 DEFINITIONS**

Structure containing sensitive receptors

A man-made structure utilized for human residence or business, the containment of livestock, or the housing of sensitive live vegetation.

The term "man-made structure" does not include such things as range fences, roads, bridges, hunting blinds or facilities used solely for the storage of hay or other livestock feeds. The term "sensitive live vegetation" is defined as vegetation which has potential to be damaged by smoke and heat.

February 2023

## **CAUTION**

Starting a fire and allowing that fire to get out of control and damage or destroy the property of another is a crime under the Texas Penal Code.

Lifting of the burn ban does not authorize burning of any material that is prohibited from being burned by Texas Commission on Environmental Quality.

### **Prohibited materials include:**

Construction waste, household garbage, tires, rubber or plastic products, heavy oils, fiberglass products, oil based materials, and any material that produces excessive amounts of smoke.



### **Hays County Fire Marshal's Office**

810 S. Stagecoach Trail, STE 1200  
San Marcos, Texas 78666  
512-393-7300  
[www.hayscountytexas.com](http://www.hayscountytexas.com)

# **HAYS COUNTY FIRE MARSHAL'S OFFICE**



## **Rules for Open (Outdoor) Burning**

**Please read this guide  
before conducting any  
outdoor burning.**

# Hays County Fire Marshal's Office

## OUTDOOR BURNING IS AUTHORIZED FOR:

On-site burning of trees, brush, grass, leaves, branch trimmings, or other plant growth, by the owner of the property or any other person authorized by the owner, and when the material is generated only from that property.

## OUTDOOR BURNING ONLY TO BE CONDUCTED UNDER THE FOLLOWING CONDITIONS:

- Burning must be conducted downwind of or at least 300 feet from any structure containing sensitive receptors located on adjacent properties unless prior written approval is obtained from the occupant
- Burning may NOT be conducted when wind is predicted to be >23 m.p.h. or <6 m.p.h.
- Burning may NOT be conducted during periods of actual or predicted persistent low-level humidity. (Dry conditions)
- The burning may not begin until one hour after sunrise.
- Burning must be ended on the same day, not later than one hour before sunset. In cases where residual fires and/or smoldering objects continue to smoke, such areas must be extinguished if the smoke has the potential to create a nuisance or traffic hazard condition. The size of the fire area may not increase after this time.
- All outdoor burning must be supervised at ALL times and under controlled conditions. Citizens responsible for controlled burns must have the means to control/extinguish the burn.

- No permit is required for residential brush burning, campfires, the noncommercial preparation of food, supplying warmth in cold weather, and other recreational and ceremonial purposes.
- For recreational and ceremonial fires larger than three (3) feet in diameter and two (2) feet in height, a permit must be obtained from the Hays County Fire Marshal's Office.
- Violations of this order are punishable as a Class C misdemeanor with a maximum fine of \$500.00

## DEFINITIONS

**Extinguished** - The absence of any visible flames, glowing coals or smoke.

**Campfire** - A fire no larger than 3 ft in diameter and 2 ft in height; used for recreational purposes.

**Bonfire** - Any fire larger than a campfire used for ceremonial or recreational purposes.



HAYS COUNTY FIRE MARSHAL'S OFFICE

## PROHIBITED BURN ITEMS

Construction waste, household garbage, tires, rubber or plastic products, heavy oils, fiberglass products, oil based materials, and any material that produces excessive amounts of smoke.

## ALL BURNING IS PROHIBITED DURING COUNTY-WIDE BURN BANS

The authority to conduct outdoor burning under the described circumstances does not exempt or excuse any person from any consequence, damages, or injuries resulting from burning and does not excuse anyone from complying with all ordinances of other governmental agencies. The above rules shall be enforced by the Hays County Fire Marshal's Office.

## YOUR COOPERATION IS APPRECIATED IN THIS MATTER!



## For any questions, please contact:

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