

## Outdoor Burning Rules

Are campfires allowed inside the city limits?

Sometimes. Fires used solely for recreation or ceremony are allowed by state law; however, local ordinance may prohibit this kind of burning. Make sure no oils, asphalt, synthetic rubber, or other materials that produce heavy smoke are in the fire: they could release toxic gases or cause a nuisance or traffic hazard.

### Fires for Disposal or Land Clearing

Any fire, otherwise allowed, may only be allowed between 30 minutes after sunrise to 30 minutes before sunset. A broad exception for fires to dispose of waste or clear land covers seven specific categories, described below:

1. Domestic waste. Domestic waste, in other words, household trash or rubbish, may not be burned in Caldwell or Hays Counties because trash collection is authorized and there are businesses that do so.
2. Diseased animal carcasses. These may be burned when burning is the most effective means of controlling the spread of disease. The general requirements for outdoor burning do not apply to this exception, but burning under this exception must not cause a nuisance or traffic hazard.
3. Burning of animal remains by a veterinarian. A veterinarian may burn animal remains and medical waste—not including sharps (e.g., needles)—associated with animals in his or her care on his or her property if the property is located outside the corporate boundaries of a municipality (or within the

corporate boundaries of a municipality if annexed on or after September 1, 2003). This section prevails over any other law that authorizes a governmental entity to abate a public nuisance.

4. **On-site burning of waste plant growth.** Trees, brush, grass, leaves, branch trimmings, or other plant growth may be burned on the property on which the material grew. The plant growth must be burned by the property owner or any other person authorized by the owner. Burning of waste plant growth is allowed only if the material was generated as a result of right-of-way maintenance, land clearing, or maintenance along water canals. Such things as tires, construction debris, furniture, carpet, electrical wire, and appliances are considered to be domestic waste and cannot be burned. The outdoor burn must not cause a nuisance or traffic hazard. Such burning is also subject to local ordinances which prohibit burning in the corporate limits of a city or town or at such times that doing so poses a high risk spreading.

5. **Designated burn sites.** This exception allows rural homeowners to transport their yard waste to a designated site for consolidated burning, rather than having numerous smaller fires in the yards of rural neighborhoods. All burning at a designated site must be directly supervised by a fire-department employee. Designated burn sites must be located outside the corporate limits of a municipality and within a county that has a population of less than 50,000. The site must be designated by its owner; designation does not require registration with the agency.

6. Crop residues. When there is no practical alternative, crop residues may be burned as part of agricultural management. Burning carried out under this exception must conform to the general requirements for outdoor burning, and structures containing “sensitive receptors” (see note) must not be negatively affected by the burn. This exception does not apply to crop-residue burning covered by an administrative order.

Note: “Sensitive receptors” include humans and livestock, as well as “sensitive live vegetation” such as nursery plants, mushrooms under cultivation, and plants raised for pharmaceutical production or used in lab experiments.

7. Brush, trees, etc., off-site. A county or municipal government may request site and burn approval from the appropriate TCEQ regional office to burn accumulations of brush, trees, and other plant growth that cause a condition detrimental to public health and safety. The burn must occur at a site owned by the local government and will be authorized only if the TCEQ determines that there is no practical alternative. The frequency of such burns may not exceed once every two months, and they cannot be used in place of other sound brush-management practices.

**How do I report somebody who is conducting illegal outdoor burning?**

Report the burning to the local air pollution control office, or the nearest TCEQ regional office. The TCEQ’s Environmental Complaint Hotline is 888-777-3186. Complaints can also be

submitted by e-mail at <[cmplaint@tceq.state.tx.us](mailto:cmplaint@tceq.state.tx.us)> or on the agency web site using the online form.