

Golden Valley County

Burn Permit Application

Please print out this form or type in the following information and then print, you must sign the form and send it to me by e-mail or by US Mail.

Once approved you will receive a copy for your records

Business Name: _____
Individuals Name: _____
Physical Address: _____
Mailing Address: _____
City: _____ State: _____ Zip Code: _____
Home Phone: _____ Cell Phone: _____ Work Phone: _____
E-Mail: _____

If any information should change above, you must re-submit a new application. The undersigned do hereby agree to all terms and conditions listed previously on the pages and understand that by my signature, I assume all responsibilities for liability, financial and criminal charges.

Permittee Signature: _____ **Date:** _____

Remember: You must call in each and every time that you plan on burning to get permission and give your permit number that is assigned to you. A copy of this permit will be mailed back to you by mail with the permit number. Call 406-568-2321

Approved by: _____ **Date:** _____

Permit Number: _____



Golden Valley County Burn Permit Application and Instructions

Please read the following carefully before applying for an open burning permit. Your signature on the permit will acknowledge that you have read and understand the liability you hold in regards to open burning.

Pursuant to MCA 7-33-2205, the County governing body requires written permits for all open burning within County Jurisdiction. This signed permit is good for two (2) years from the date of issuance. The permit will be signed and kept for records with the Golden Valley County Sheriff's Office, 107 Kemp Street, Ryegate Montana 59074.

The permit holder must obtain verbal permission to burn each time he/she kindles a fire throughout the two (2) year period, from the Golden Valley County Sheriff's Office or dispatch. You will be issued a permit number which must also be given at the time of your call. 406-568-2321

Burn permission is only issued on days when weather conditions are conducive to controlling a fire. Burn permission's are not issued during dry spells, windy days, red flag days or other conditions that would make it difficult to control a fire. Recreation and Burn Barrel Burns do not require a Burn Permit.

An open burning permission may be suspended or revoked at any time when conditions warrant or when the permit holder is in non-compliance with the Golden Valley County Burn Permit resolution: 2014-4. The County Fire Warden or Sheriff's Office has the authority to discontinue any open burn. This permit maybe cancelled or revoked for violation of any cause at any time, and you will be burning illegally.

*Under the provision of MCA 50-63-103, **You Are Liable** for any and all fire suppression costs or damages resulting from an escaped or uncontrollable fire. **Minimum restitution for fire suppression costs will be \$250.00***

You are liable for your fines and restitution even if you have been issued a permit. Under MCA 45-6-102, a person commits the offense of Negligent Arson if he/she purposely places the property of another in danger of damages or destruction.

Please read the following pages and if you have any questions please call the Sheriff's Office. Please fill out the application and sign it. You may send it by mail to the Golden Valley County Sheriff's Office or send it back by e-mail to gvcso@midrivers.com. Either way, we must have a signature showing that you have read and understand the rules and laws that pertain to open burning. Once we have received your application, we will assign a permit number and send you a copy for your records. Remember that you must still call in every time to get permission to burn and will be required to give your permit number assigned to you along with what you will be burning, location of burn, and who will be on scene watching the fire along with their contact numbers.

Golden Valley County Sheriff's Office

107 Kemp Street, PO Box 10, Ryegate Montana 59074

406-568-2321 E-Mail: gvcso@midrivers.com

Resolution 2014- # 4

A RESOLUTION DESCRIBING THE COUNTY WIDE OPEN BURNING PERMIT

WHEREAS, section 7-32-2205, Montana Code Annotated provides for the establishment of Fire Season; and

WHEREAS, section 76-13-121, Montana Code Annotated provides for a Permit for burning required; and

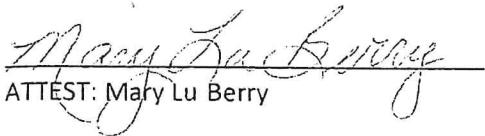
WHEREAS, section 7-33-2005, Montana Code Annotated provides for violations of open burning;

NOW THEREFORE BE IT RESOLVED, THAT THE FOLLOWING REGULATIONS SHALL GOVERN OPEN BURNING PERMITS:

- I. Golden Valley County Fire Season is established from January 1, through December 31st.
- II. A written permit application is adopted for a term of two (2) years, with a call into the Golden Valley County Sheriff's Office being required for each day of ignition;
- III. That the permit process be monitored by the Golden Valley County Sheriff's Office, who is also the appointed Golden Valley County Fire Warden/Fire Chief.

PASSED AND APPROVED on this 7 day of January, 2014 and effective as of January 7, 2014.

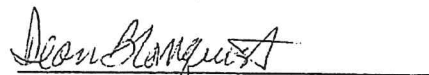



ATTEST: Mary Lu Berry

Golden Valley County Commissioners


David Paugh, Chairman


Robert Lehfeldt, Member


Dean Blomquist, Member

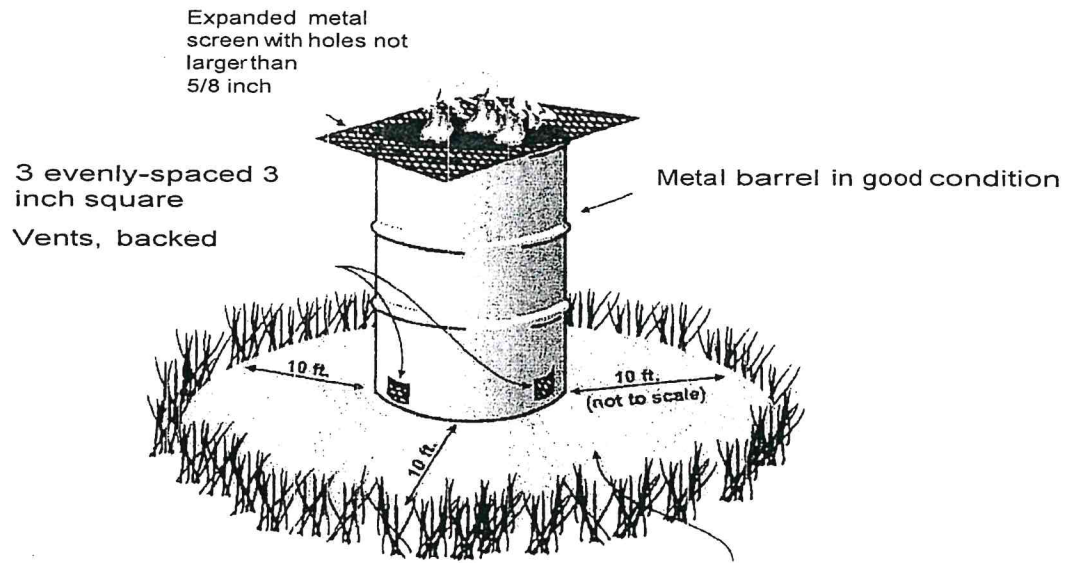
The following common materials are PROHIBITED to be burned AT ANY TIME in accordance with ARM 17-8-604;

- * Food wastes
- * Styrofoam and other plastics
- * Treated lumber and timbers
- * Wood and wood byproducts that have been coated, painted, stained, treated or contaminated by a foreign material.
- * Plywood, oriented strand board (OSB) and particleboard
- * Poultry litter and animal droppings
- * Dead animals or dead animal parts
- * Tires and rubber material
- * Asphalt shingles and tar paper
- * Oil or petroleum products
- * Waste generating noxious odors
- * Hazardous or pathogenic waste
- * Chemicals or paint
- * Other items as listed in ARM 17-8-604

Once you have been issued a permit, it is your responsibility to contact the Golden Valley County Sheriff's Office, 406-568-2321, on each day that burning is anticipated and provide the following information:

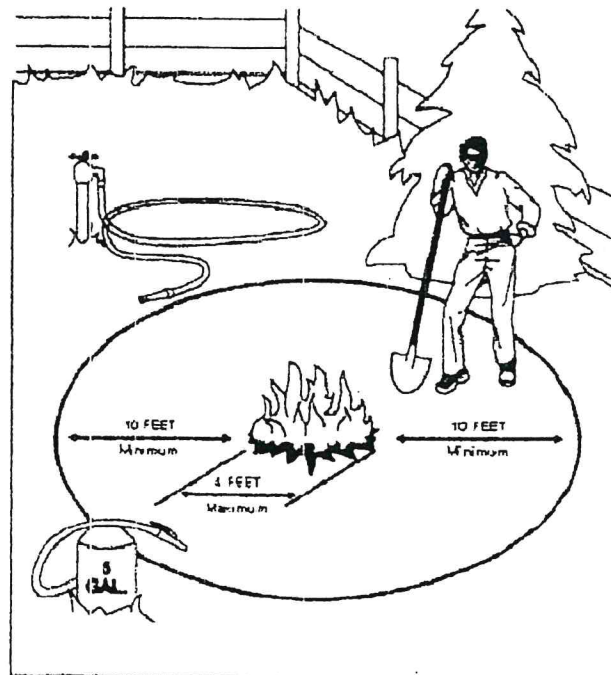
1. Location of burn, Township, Range and Section number or GPS Coordinates along with nearest town.
 - A. Burn area must be an approved site or contained in a steel barrel with a screen-covered top, located at least 25 feet from any structure or combustible materials.
2. Materials to be burned
3. Size of Fire:
 - A. Burn Barrel (with screen and cleared vegetation around)
 - B. Small hand pile (4'X4' in diameter)
 - C. Large hand pile (8'X8' in diameter)
 - D. Small machine piles (>10'X10' in diameter)
 - E. Large machine piles (>25'X25' in diameter)
4. If there are adequate water supply and/or extinguisher and other firefighting tool, equipment and manpower at the burn site to control the fire
5. What is the amount of water you have available
6. Name and contact number of the responsible party and confirmation that the fire will be attended at all times
7. What time you anticipate beginning the burn
8. What time do you anticipate finishing the burn
9. Burn area must be an approved site .
10. All fires should be extinguished by Sunset; unless prior arrangements have been made with the Golden Valley County Sheriff's Office.

Burn Barrel:



Ground cleared down to mineral soli or gravel at least 10 feet on each side of incinerator

Reference for small piles:



Reference Page:

7-33-2205. Establishment of fire season -- permit requirements -- reimbursement of costs. (1) (a) Subject to the provisions of Title 76, chapter 13, part 1, the county governing body may in its discretion establish controlled burning seasons annually, during which, subject to 76-13-121, a person may not ignite or set a fire, including a slash-burning fire, land-clearing fire, debris-burning fire, or open fire within the county protection area on any residential or commercial property, forest, range, or croplands subject to the provisions of this part without having obtained an official written permit or permission to ignite or set a fire from the recognized protection agency for that protection area.

(b) If a person, entity, or representative of a person or entity has entered into a fire hazard reduction agreement pursuant to Title 76, chapter 13, part 4, and is complying with that agreement, open burning may be conducted, subject to 76-13-121, between October 1 and April 30 without obtaining a written permit or permission to set a fire. The person, entity, or representative of a person or entity shall:

- (i) obtain air quality and ventilation forecasts before igniting or setting the fire; and
- (ii) notify the county of the location of the burn area.

(2) A permit or permission is not needed for recreational fires measuring less than 48 inches in diameter that are surrounded by a nonflammable structure and for which a suitable source of extinguishing the fire is available.

(3) A person who purposely ignites a fire in violation of this section shall reimburse the county governing body or recognized protection agency for costs incurred for any fire suppression activities resulting from the illegal fire, as provided in 50-63-103.

7-33-2206. Violations. A person who ignites or sets a fire, including a slash-burning fire, land-clearing fire, debris-burning fire, or open fire on any residential or commercial property, forest, range, or cropland subject to the provisions of this part without first having obtained a written permit or permission from the recognized protection agency for that protection area to ignite or set the fire is guilty of a misdemeanor.

50-63-103. Liability of offender for damages and costs. Except as provided in 50-63-104, a person who sets or leaves a fire that spreads and damages or destroys property of any kind not belonging to the person is liable for all damages caused by the fire, and an owner of property damaged or destroyed by the fire may maintain a civil suit for the purpose of recovering damages. A person who sets or leaves a fire that threatens to spread and damage or destroy property is liable for all costs and expenses incurred, including but not limited to expenses incurred in investigation of the fire and administration of fire suppression, by the state of Montana, by any forestry association, or by any person extinguishing or preventing the spread of the fire.

45-6-102. Negligent arson. (1) A person commits the offense of negligent arson if the person purposely or knowingly starts a fire or causes an explosion, whether on the person's own property or property of another, and thereby negligently:

(a) places another person in danger of death or bodily injury, including a firefighter responding to or at the scene of a fire or explosion; or

(b) places property of another in danger of damage or destruction.

(2) A person convicted of the offense of negligent arson shall be fined not to exceed \$500 or be imprisoned in the county jail for any term not to exceed 6 months, or both. If the offender places another person in danger of death or bodily injury, the offender shall be fined not to exceed \$50,000 or be imprisoned in the state prison for any term not to exceed 10 years, or both.

76-13-121. Permit for burning required. (1) During the wildfire season or an expansion of the wildfire season, a person may not ignite or set a fire, including a slash-burning fire, land-clearing fire, debris-burning fire, or, except as provided in subsection (2), an open fire without an official written permit to ignite or set the fire from the recognized agency for that protection area.

(2) (a) If no restrictions are in place, a permit is not needed for recreational fires measuring less than 48 inches in diameter that are surrounded by a nonflammable area or structure and for which a suitable source of extinguishing the fire is available.

(b) A recreational fire may not be ignited if special restrictions prohibiting recreational fires have been established by an authority having jurisdiction.

Administrative Rules of Montana:

17.8.604 Materials Prohibited From Open Burning

1. The following material may not be disposed of by open burning:
 - a. any waste which is moved from the premises where it was generated, except as provided in ARM 17.8.604 (2), 17.6.611, or 17.8.612 (4) (a) or (4) (b);
 - b. food wastes;
 - c. Styrofoam and other plastics;
 - d. wastes generating noxious odors;
 - e. wood and wood byproducts that have been coated, painted, stained, treated or contaminated by a foreign material, unless open burning is allowed under ARM 17.8.614 or 17.8.615;
 - f. poultry litter;
 - g. animal droppings;
 - h. dead animals or dead animal parts;
 - i. tires, except as provided in ARM 17.8.615;
 - j. rubber materials;
 - k. asphalt shingles, except as provided in ARM 17.8.614 or 17.8.615;
 - l. tar paper, except as provided in ARM 17.8.614 or 17.8.615;
 - m. automobile or aircraft bodies and interiors, except as provided in ARM 17.8.614 or 17.8.615;
 - n. insulated wire, except as provided in ARM 17.8.614 or 17.8.615;
 - o. oil or petroleum products, except as provided in ARM 17.8.614 or 17.8.615;
 - p. treated lumber and timbers;
 - q. pathogenic wastes;
 - r. hazardous wastes, as defined in 40 CFR Part 261, incorporated by reference in ARM 17.8.602;
 - s. trade waste, except as provided in ARM 17.8.611 or 17.8.612;
 - t. any materials resulting from a salvage operation;
 - u. chemicals, except as provided in ARM 17.8.614 or 17.8.615;
 - v. christmas tree waste as defined in ARM 17.8.601, except as provided in ARM 17.8.623;
 - w. asbestos or asbestos-containing materials;
 - x. standing or demolished structures containing prohibited material except as prohibited in ARM 17.8.612, 17.8.614 or 17.8.615; and
 - y. paint, except as provided in ARM 17.8.614 or 17.8.615.
2. A person may not conduct open burning of any wood waste that is moved from the premises where it was generated, except as provided in ARM 17.8.611 or 17.8.612 (4) (a) or (4) (b) or unless the department determines:
 - a. the material is wood or wood byproducts that have not been coated, painted, stained, treated or contaminated by a foreign material; and
 - b. alternative methods of disposal are unavailable or infeasible;
3. A person conducting open burning of wood waste which is moved from the premises where it was generated shall comply with BACT.
4. A person intending to conduct open burning of wood waste which is mixed from the premises where it was generated shall contact the department by calling the number listed in ARM 17.8.601 (1) prior to conducting open burning.
5. Except as provided in ARM 17.8.606, a person may not open burn any non-prohibited material without first obtaining an air quality open burning permit from the department.

History: 75-2-111, 75-2-203, MCA; IMP, 75-2-203, 75-2-211, MCA, NEW, 1982 MAR p 689, EFF. 4/18/62; AMD, 1991 MAR p126, EFF 2/1/91; AMD, 1994MAR p 2528, EFF 9/9/94; AMD, 1995MAR p 535, EFF 4/14/95; AMD, 1996 MAR p 1844, EFF 7/4/96; TRANS, from DHES, 1996 MAR p 2285; AMD, 2002 MAR p 3586, Eff 12/27/02; AMD, 2011 MAR p 569, Eff, 4/15/11.