

TOWN OF PLATTSBURGH

Local Law No. 3 of the year 1998

A local law entitled "Open Burning Regulations and Permitting Procedures for Burning Within the Town of Plattsburgh".

Be it enacted by the Town Board of the

Town of Plattsburgh as follows:

No person, firm or corporation or any other body owning, controlling or possessing a building, structure or property in the Town of Plattsburgh shall permit, cause, suffer or allow the burning of any material outside of a structure at any time, for any cause, without a permit, as required herein.

1. A permit may be issued by the Code Enforcement Official/Fire Marshall to permit the burning of only such trees, brush or other clean untreated wood products and similar material as approved by the Code Enforcement Official/Fire Marshall.
2. An application for a permit shall be submitted on a form provided by the Code Enforcement Official/Fire Marshall of the Town of Plattsburgh and shall include such detail so as to determine compliance with these regulations. All applications shall be signed by the Chief of applicable Fire Department which provides protection to the property where the burning is to take place. The application shall then be submitted for review to the Code Enforcement Official/Fire Marshall, whereby a permit shall be issued if found to be in conformance with these regulations. A copy of the issued permit will be forwarded to the approving Chief of the applicable Fire Department.
3. These regulations shall not apply to the following:
 - a) Any duly conducted fire department training exercise.
 - b) The operation of an existing farm practice.
 - c) Cooking of Food in a contained burning pit, barbecue or fireplace, so long as such is not a fire hazard.
4. LOCATION - No burning shall be done within 50 feet of a any structure or property line unless adequate containment provisions are established and approved by the Fire Chief and the Code Enforcement Official/Fire Marshal, but in no case less than 15 feet from any structure or dwelling.

5. The following conditions are applicable to all permits:

- a) No petroleum products or material other than wood products shall be used to start or maintain any fire.
- b) Tree stumps and roots shall not be burned.
- c) Fires shall be started only on days where prevailing wind is away from populated area, and so as not to be a hazard to any person, building or structure.
- d) All fires are to comply with all applicable codes, rules and regulations, including but not limited to the New York State Department of Environmental Conservation regulations, the New York State Uniform Fire Prevention and Building Code and the National Fire Protection Association Codes.
- e) All fires shall be attended at all times, with proper extinguishing equipment as may be required by the Fire Chief/Fire Marshall.
- f) The permit holder shall be liable for any damage caused by any fire. The permit holder shall also be liable for the cost of any fire suppression activities that may result from any burning action.
- g) All fires shall be extinguished by order of the Fire Chief or Code Enforcement Official/Fire Marshal after complaint or existence of hazardous condition or violation of any of the terms and conditions of the permit.

6. **PENALTIES** - Violations of any provisions of this law shall be punishable as follows:

Fines:

1st offense: \$100.00

2nd offense: \$500.00

3rd offense: \$1,000.00 and 30 days incarceration in County Jail.

PERMITS MUST BE APPLIED FOR AT LEAST 48 HOURS IN ADVANCE OF THE PROPOSED BURNING EVENT.

PERMITS MAY BE REVOKED UPON FINDING THAT THE REGULATIONS AND/OR CONDITIONS ATTACHED TO SAID PERMIT, OR OTHER APPLICABLE LAWS HAVE NOT BEEN COMPLIED WITH.