

SUMMARY OF OPEN BURNING REGULATIONS

Open burning in Boone County is regulated by the Kentucky Division of Forestry ([KRS 149.400](#)) and the Kentucky Division for Air Quality ([401 KAR 63:005](#)). These agencies specify what can and cannot be burned in an open fire and restrict open burning during certain parts of the year.

Regardless of the time of year only certain materials may be burned in an open fire. Only natural growth such as leaves, trees and tree limbs may be burned in open fires. Prohibited items include tires, garbage, construction and renovation debris (including scrap lumber), demolition debris, appliances, cars, trailers and all other materials not specifically exempted by the regulation.

From **May 1st through September 30th** open burning is prohibited with these limited exceptions:

- (a) Fires set for the cooking of food for human consumption;
- (b) Fires set for prevention of a fire hazard, including disposal of dangerous materials if no safe alternative is available;
- (c) Fires set for the purpose of bona fide instruction and training of public and industrial employees in the methods of fighting fires;
- (d) Fires set for recognized agricultural, silvicultural, range, ecological, and wildlife management practices;
- (e) Fires set for the purpose of disposing of accidental spills or leaks of crude oil, petroleum products or other organic materials, and the disposal of absorbent material used in their removal, if no other economically feasible means of disposal is available and practical. Permission shall be obtained from the cabinet prior to burning; and
- (f) Fires set for recreational or ceremonial purposes.

From **October 1st through April 30th** open burning is permitted for the above exceptions, as well as:

- (1) Small fires set by construction and other workers for comfort heating purposes if:
 - (a) The ambient temperature is below fifty (50) degrees Fahrenheit;
 - (b) Excessive or unusual smoke is not created;
 - (c) Only clean lumber or vegetative matter is burned; and
 - (d) The fire is burned in a container not exceeding fifty-five (55) gallons in size;
 - (2) Fires set for the purpose of weed abatement, disease, and pest prevention;
 - (3) Fires set by individual homeowners for burning of leaves except in cities greater than 8,000 population located in a Priority I Region;
 - (4) Fires for disposal of household rubbish, which shall not include garbage, originating at dwellings of five (5) family units or less, if the fires are maintained by an occupant of the dwelling at the dwelling, except in cities greater than 8,000 population located in a Priority I Region;
 - (5) Fires set for disposal of natural growth for land clearing and maintenance, and trees and tree limbs felled by storms if no extraneous materials, such as tires or heavy oil which tend to produce dense smoke, are used to cause ignition or aid combustion and the burning is done on days when conditions do not pose a threat of igniting a forest fire. In regions classified Priority I, with respect to particulate matter pursuant to 401 KAR 50:020, Appendix A, the emissions from these fires shall not be equal to or greater than forty (40) percent opacity;
- NOTE: Open burning for land clearing purposes associated with residential, commercial, or industrial development shall be limited to a maximum of two (2) contiguous acres at any one (1) time.
- (6) Heating ropes that are set on fire to repair steel rails during cold weather; and
 - (7) Fires set by county or municipal governments to dispose of wood waste or clean lumber. This activity shall not be considered in violation of 401 KAR 47:030, Section 10.

During fire hazard season from **February 15th through April 30th** and from **October 1st through December 15th** open burning is prohibited within 150 feet of any woodland or brushland, except between the hours of 6:00 p.m. and 6:00 a.m., prevailing local time, or when the ground is covered with snow.

During periods of drought, state and/or local government can enact a complete ban on all open burning.