

ORDINANCE NO.2021-04

AN ORDINANCE ADDING CHAPTER 6 OF TITLE 7, FIRE CODE, OF THE CITY OF LAFOLLETTE CODE BY ADDING CHAPTER 6 ADOPTING OPEN BURNING REGULATION AND PERMITTING.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LAFOLLETTE, TENNESSEE, THAT:

**SECTION 1.** The following shall be the duly enacted regulations for individuals and/or entities seeking an open burn permit from the City of LaFollette:

7-601. After the effective date of these regulations, no person shall cause, suffer, allow, or permit open burning of any kind except as specifically permitted herein.

7-602. Open burning, as described in this section, may be conducted without permits provided that no public nuisance is or will be created by such burning. Fires used for cooking food, fires for ceremonial or recreational purposes, including barbecues and outdoor fireplaces, and fires set for the training and instruction of firefighters, do not need a permit. This grant of exemption shall in no way relieve the person from the consequences, damages, or claims resulting from such burning. This exception does not relieve the person of the responsibility of using fire safe practices nor from getting a permit from any other agency that may require such.

7-603. Open burning shall be allowed inside the corporate limits of the city when a valid permit has been obtained from the City of LaFollette Fire Department. Prior to the burning, the person requesting the permit shall be certain that no detriment to the public health or damage to the land, water or air will be caused. The following conditions shall always be met:

1. Open burning shall be between the hours of 7:00 am till Dusk
2. All fires shall be completely extinguished by Dusk
3. The fires may never be left unattended.
4. Burn piles shall be no bigger than 8 foot by 8 foot and no more than 4 foot in height.
5. No Stumps shall be burned in the City.

7-604. To obtain a permit required by this chapter, the applicant shall call the City of LaFollette Fire Department. No fee shall be required to obtain an opening

burning permit. All permits issued shall be displayed while the open burning is in progress. The fire department shall have the authority to forbid, restrict, or suspend any and all burning when the Fire Chief or the senior fire officer in charge has determined that conditions are unfavorable or hazardous for outdoor fires.

7-605. The following items/products are strictly prohibited from burning within the City of LaFollette:

- Tires and other rubber products
- Vinyl siding and vinyl shingles
- Plastics and other synthetic materials
- Paper products, cardboard and newspaper
- Asphalt shingles, and other asphalt roofing materials and demolition debris
- Asbestos-containing materials
- Paints, household and agricultural chemicals
- Aerosol cans and food cans
- Building material and construction debris
- Buildings and mobile homes
- Coated wire, copper wire and electrical wire
- Household trash
- Most vegetation not grown on site

Also adopted and incorporated herein are all prohibited burning materials as identified in Tennessee Code Annotated.

7-606. Violates of this provision(s) of this section may be punishable by a civil penalty of no more than \$50.00.

**SECTION 2.** Each section, subsection, paragraph, sentence, and clause of this Ordinance is hereby declared to be separable and severable. The validity of any section,

subsection, paragraph, sentence, or clause shall not effect the validity of any other portion of this Ordinance, and only any portion declared to be invalid by a court of competent jurisdiction shall be deleted here from.

**SECTION 3.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 4.** This Ordinance shall take effect after its final passage, the public welfare requiring it.

PASSED ON 1ST READING May 4, 2021.

PASSED ON 2ND READING May 4, 2021.

PASSED ON 3RD READING June 1, 2021.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
RECORDER

City of LaFollette  
Fire Department

**OPEN BURNING PERMIT**  
**Application**

(Permit valid when signed by Fire Chief or Designee)

Name of Applicant \_\_\_\_\_

Location of Burning \_\_\_\_\_

Address of Applicant \_\_\_\_\_  
\_\_\_\_\_

Telephone of Applicant \_\_\_\_\_

Individual responsible for fire \_\_\_\_\_

I will follow all open burning regulations of the City of  
LaFollette, Tennessee.

Signed \_\_\_\_\_

=====  
(This section to be completed by City of LaFollette - Not valid  
until signed)

Date of Burning \_\_\_\_\_

Approved \_\_\_\_\_  
(Fire Chief or Designee)

Date \_\_\_\_\_