

# Open Burning Permit Program Reference Manual



**Loveland Fire Rescue Authority**

Community Safety Division

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## Loveland Fire Rescue Authority Community Safety Division

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## BURN PERMITS: GENERAL INFORMATION

Larimer County Department of Health is the agency with primary authority to issue permits for open burning in all unincorporated areas of the county.

A permit is **not required** for a recreational cooking fire. To qualify, outdoor recreational burning is allowed at one- and two-family homes only when contained within an outside fireplace; manufactured, portable outdoor fire pit; or in a chiminea. Outside fireplaces may be no larger than three feet in diameter and shall include a screen or spark arrestor design feature if they involve the burning of wood. Fire pits constructed to be non-portable are not allowed unless approved prior to construction by the LFRA Community Safety Division and the County Building Department.

### **Open Burning INSIDE Loveland City Limits:**

**NO** open burning is allowed inside Loveland City Limits except by special authorization of the Fire Marshal or a Community Safety Division representative to:

1. Burn weeds in irrigation ditches, ditch banks, and ditch right-of-ways and when performed by or under the direct supervision of a ditch company or ditch owner, and
2. When the responsible person obtains an open burning permit from Larimer County.

### **Open Burning OUTSIDE Loveland City Limits:**

All open burning within Larimer County and the Loveland Rural Fire Protection District may not be performed without a valid open burning permit. Permits may be issued for:

1. The burning of tree slash in organized and monitored burn piles, of approved size.
2. The burning of weeds in irrigation ditches, ditch banks, and ditch rights-of-way by or under the direct supervision of a ditch company or ditch owner.
3. Agricultural burning (as defined below) WITH A BURN PERMIT FROM THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

# OPEN BURNING REGULATIONS

1. Permits for open burning are managed by Larimer County Department of Health (LCDH). Loveland Fire Rescue Authority (LFRA) acts as the agent for administration of LCDH's permit program.
2. Failure to comply with all provisions of the Open Burning Regulations is punishable under Chapters 1 and 3 of the 2021 International Fire Code, Larimer County Municipal Ordinance, and Colorado Revised Statutes 25-7-123(3).
3. All open burning must be pre-approved by the Larimer County Department of Health and the LFRA Community Safety Division, and be issued a Larimer County burn permit.
4. The individual responsible for conducting the permitted open burning must be in possession of the Larimer County burn permit and must constantly attend all burning until complete extinguishment.
5. The burning of tree slash is **not** authorized between May 1 and September 30, except at approved locations below 6,000 feet of elevation.
6. Open burning of tree slash shall only occur between sunrise and sunset and shall be completely extinguished (out cold) prior to sunset and prior to the attendant leaving the site.
7. No person shall burn upon the land of another without written permission of the owner thereof or his agent.
8. Open burning may be restricted based upon current and/or predicted weather conditions, as determined by the LFRA company officer, incident commander, the Fire Inspection Technician, or a Community Safety Division representative.
9. The tree slash pile shall be no larger than 8 feet wide by 6 feet high at any time, and shall be constructed away from standing timber and structures.
10. Tree slash material shall be no larger than six (6) inches in diameter.
11. The ground surrounding the tree slash pile shall be scraped to mineral earth (clean dirt) to a distance of at least 10 feet in all directions.
12. A minimum distance of 50 feet shall be maintained between any permitted open burn and the nearest structure or combustible materials. Feed piles shall be maintained at a minimum distance of 25 feet from the burning pile.
13. Tree slash pile ignition methods shall be pre-approved by the Loveland Fire Rescue Authority. Use of gasoline is prohibited.
14. All fires shall be continuously attended by a competent, non-impaired adult having pre-approved and ready to use fire extinguishing equipment on site.
15. The open burning permit holder shall call Loveland Fire Dispatch at 970-962-2800 before igniting the fire and once the fire is completely extinguished (out cold).

# PROHIBITED MATERIALS

The following materials are not allowed to be burned, with or without a permit:

- Flood debris
- Routine yard and garden waste
- Structures and/or construction debris
- Household garbage or trash
- Materials that produce excessive smoke (rubber, plastic, wire insulation, tires, grass, weeds, leaves, etc.)
- Tree stumps
- Animal parts or carcasses
- Wetland cattails (*Typha*), living or dead

## DEFINITIONS

### **Ditch Burning**

The burning of weeds from irrigation ditches, ditch banks, and ditch right-of-ways by ditch companies or property owners for irrigation ditch maintenance purposes.

### **Tree Slash**

Tree trimmings and branches having a diameter of less than 4 inches.

### **Agricultural Burning**

The burning of cover vegetation for the purpose of preparing the soil for crop production, weed control, and other agricultural cultivation purposes. Agricultural burning is allowed within Larimer County, with a valid permit, as long as the land where the burning is proposed is zoned and/or legally defined as a farm or ranch, as defined by Colorado Revised Statutes:

***Farm:*** A parcel of land which is used to produce agricultural products that originate from the land's productivity for the primary purpose of obtaining a monetary profit. [CRS 39-1-102 (3.5)]

***Ranch:*** A parcel of land, which is used for grazing livestock for the primary purpose of obtaining monetary profit. For the purpose of this subsection, "livestock" means domestic animals which are used for food or animal consumption, breeding, draft, or profit. [CRS 39-1-102 (13.5)] The grazing and boarding of "pleasure horses" does not qualify as a "ranching" use. [Palmer v. Board of Equaliz, 957P2d 348, Colo. App. 1998]

### **OR**

A parcel of land that consists of at least 40 acres, that is used to produce tangible wood products that originate from the productivity of such land [CRS 39-1-102 (1.6)(a)(I)]

### **OR**

A parcel of land that consists of at least 80 acres, or of less than 80 acres, if such parcel does not contain any residential improvements; and, that is subject to a perpetual conservation easement and has been classified by the tax assessor as agricultural land. [CRS 39-1-102 (1.6)(A)(III)]

Burning of *more than 10 acres of grass or more than 5 acres of other vegetation* requires a permit from the Colorado Department of Public Health and Environment (CDPHE) *and* the burning also requires a permit from the Larimer County Department of Health and LFRA.

When burning *less than 10 acres of grass or less than 5 acres of other vegetation*, a State permit is not required, but a permit from Larimer County Department of Health and LFRA is still required.

### **HOW TO APPLY FOR PERMITS**

Apply for a Larimer County Department of Health open burning permit online at:  
<http://www.larimer.org/burnpermit/>

Larimer County will review your permit application. If approved, the permit will be forwarded to LFRA for review. If approved, you will receive email confirmation of your permit approval. Print this email, as it will serve as your valid permit.

Apply for State of Colorado outdoor burning permit by calling CDPHE at (303) 692-3268 or online at: <https://cdphe.colorado.gov/outdoor-burning>

Remember, a Larimer County burn permit is also required. Once you've received your State permit, you may begin the Larimer County permit process as described above.



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## **INSTRUCTIONS FOR REQUESTING AN OPEN BURNING PERMIT**

There are three options for obtaining Open Burning Permits within the jurisdiction of the Loveland Fire Rescue Authority.

1. Complete an on-line application ([www.larimer.org/burnpermit](http://www.larimer.org/burnpermit)). Your permit will be emailed to you upon review and approval by both Larimer County and LFRA.
2. If you do not have internet access, you may use a computer with free internet access at your local library. Your permit will be printed and mailed to you upon review and approval by both Larimer County and LFRA.
3. If you are not able to visit a library, call or visit the LFRA Community Safety Division and an employee will log in to the Larimer County website and complete the application with you. Your permit will be printed and mailed to you upon review and approval by both Larimer County and LFRA.

Read all rules, regulations and guidelines for open burning on the Larimer County website.