

Lewis & Clark County Burn Permit Information

The following Question and Answer information will hopefully address any questions you may have about how burn permits are acquired and activated along with explaining how these changes will affect you as a burn permit holder.

Why do we issue permits?

- To limit the amount of time volunteers spend responding to non-emergency calls and instead allowing them to focus on true emergencies.
- To prevent the unneeded response of fire departments with active lights and sirens that put them at greater risk for potential accidents.
- To limit the number of calls placed to the emergency dispatch and reserve their efforts for true emergencies.
- To track the locations of all approved burns in Lewis & Clark County so dispatch can more easily determine whether a smoke plume/fire is an emergency such as a wildfire or structural fire. By tracking approved burns the fire department may not have to be dispatched each time smoke/fire is reported.

What does it cost?

- A new permit may be purchased for \$8.00 and is good for the entire burn season.
- You may renew your permit from the prior year for \$5.00 and it is also good for the entire burn season. You will need your permit number from the prior year to use the renewal option.

How do I obtain a burn permit?

- Beginning January 1st of each year you may obtain a burn permit by:
 - Going online at <http://www.BurnPermits.mt.gov>; electronic checks and credit/debit cards are accepted. **OR...**
 - Visiting the County Treasurers office in the City/County Building Monday through Friday, 8am to 5pm; cash, check, or credit/debit cards are accepted. **OR...**
 - You may call the city/county information desk to request an application through the mail; the numbers are 447-8000 or 1-800-682-0033.

How do I activate my burn permit?

- Online at <http://www.BurnPermits.mt.gov>; click on activate burn permit, enter your burn permit number and following the remaining steps.
- By calling our automated phone system at **1-877-453-BURN (2876)**
- Please note, when activating a burn permit it is only active for a **single day**. Should you wish to burn for consecutive days **you must reactivate your permit for each day you intend to burn**.
- When entering a start and stop time for your burn it is important to be as accurate as possible to avoid potential deployment of fire department personnel.

What responsibilities am I assuming when I light my burn?

- You must have enough water, hand tools/equipment, and people to keep your fire under control.
- If you do not activate your permit before burning the Fire Department may respond to your fire even though it is under control because dispatch is unaware it is a controlled burn.
- If the fire escapes your control, you may be cited and fined, as well as having to pay the cost of suppression and any damages caused to someone else's property.
- If your smoke fails to adequately disperse, you could face penalties for violating state air pollution regulations.

What are the possible fines?

- If a person burns without having a permit or for violating rules of a permit they do have, such as failing to activate it as required, violations can be charged under several laws.
 - MCA 7-33-2205 & 2206 deal with the fire seasons and permit requirements. Violations under those codes are a misdemeanor with fines possible up to \$500 and/or 6 months in jail. Average fines are approximately \$285.
 - If a person burns in a manner that is unsafe, damages property belonging to another, or places anyone in danger of injury or death, the Arson laws apply. Negligent arson, MCA 45-6-102, can be either a misdemeanor or felony, depending on the circumstances. Misdemeanor charges can cost

up to \$500 and/or up to 6 months in jail. Felony charges can cost up to \$50,000 and/or up to 10 years in prison.

- In all cases, restitution can be ordered separately from the criminal fine. Restitution may include but are not limited to paying damages to other property owners and paying for the firefighting resources.

When can I legally burn?

- The burn season begins annually on March 1st and ends November 30th.
- Due to weather or other applicable conditions burning may be closed on any given day. If burning is closed you are prohibited from burning in Lewis & Clark County and **the website and automated phone system will prevent you from activating your permit.**
- **PLEASE NOTE** that from September 1st to November 30th you are also required to check the air quality for your area **prior** to burning. You may do so by calling the Ventilation Hotline at (406) 444-3490 or 800-225-6779 on the weekends.

Where can I legally burn?

- **Lewis & Clark County** – burning is allowed on private grounds outside of city limits with the exception of Lincoln School District 38.
- **Helena City Limits** – burning is allowed under burn permit only by contacting the City of Helena Fire Department at 447-8472.
- **East Helena City Limits** – burning is strictly prohibited.
- **Westside Fire Service Area** – burning is allowed under burn permit only by contacting the City of Helena Fire Department at 447-8498 or 447-8472 when activating a permit.

Who can I call if I still have questions?

- Bob Drake, Tri-Lakes Fire Chief 475-3552
- Jerry Shepherd, West Valley Fire Chief 458-3717
- David Hamilton, MT Department of Natural Resources, 458-3526
Central Land Office Rural Fire Specialist
- MT Department of Environmental Quality 444-3490
Air Resources Management Bureau

For more information, please visit <http://www.BurnPermits.mt.gov>