



**Application Form**  
**2024 – Lewis & Clark County Burn Permit**  
*(Permit good until December 31, 2024)*

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*For a New Permit please complete the following section:*

**Please Print:**

**First Name:** \_\_\_\_\_ **M.I.** \_\_\_\_ **Last Name:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_ **City:** \_\_\_\_\_ **ST: MT** **Zip:** \_\_\_\_\_

**Phone Number:**(\_\_\_\_)-\_\_\_\_-\_\_\_\_ **Insurance Company:** \_\_\_\_\_

**Address for primary burn location: Same as mailing address?** Yes No

**Burn Address:** \_\_\_\_\_ **City:** \_\_\_\_\_ **ST: MT** **Zip:** \_\_\_\_\_

**At least one phone number is required.**

**Emergency Phone Number for Burn Location:** (\_\_\_\_)-\_\_\_\_-\_\_\_\_

*To renew an existing permit, please note any changes you wish made in the section above and enter your permit number here: \_\_\_\_\_*

**You must read and agree to the following terms and conditions before purchasing a burn permit.**

Montana Code Annotated

- 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.

What responsibilities am I assuming when I light my burn?

1. Fires shall not be ignited when current and anticipated weather, wind and other conditions make it hazardous to do so.
2. You must have enough water, hand tools/equipment, and people to keep your fire under control.
3. You are responsible for all suppression costs and damages caused if your burn escapes your control.
4. If you do not activate your permit before burning, the Fire Department may be dispatched to your fire even though it is under control, and you will be cited.
5. Burn permit must be accessible at the burn location.

6. Someone must remain with the fire until it is completely out. (No smoke or hot embers present)
7. Permission to burn may be revoked at any anytime, due to weather conditions.
8. That you will abide by all permit requirements.
9. Between September 1 and November 30, by activating your permit, you certify you have complied with the Ventilation Hotline.
10. Between December 1<sup>st</sup> and March 1<sup>st</sup>, by activating your permit, you certify you have an approved **Montana Wintertime Open Burning Request** AND permission from the Montana Department of Environmental Quality (MDEQ) meteorologist to burn that specific day.

What can I legally burn?

1. Natural vegetation is the ONLY thing that your burn permit allows you to burn.
2. You are not allowed to burn prohibited materials as outlined in the Montana Department of Environmental Quality's (MDEQ) air quality regulations found at ARM 17.8.604. This includes, but is not limited to buildings, asphalt shingles, campers, garbage, railroad ties, plastic products, paper products, cardboard, manure, dead animals, etc.

When can I legally burn?

1. The burn season continues all year round but there are three periods of the season each having different requirements.
  - a. **March 1<sup>st</sup> to August 31<sup>st</sup>** – you only need an L&C County burn permit which is required to be activated each day you burn.
  - b. **September 1<sup>st</sup> through November 30<sup>th</sup>** – in addition to an L&C County burn permit (which needs to be activated each day you burn), you must ALSO call the Montana Department of Environmental Quality (MDEQ) Ventilation Hotline at 800-225-6779 prior to burning. You may only burn if both systems allow burning that day.
  - c. **December 1<sup>st</sup> to March 1<sup>st</sup>** – burning is restricted to only those burns considered ESSENTIAL. You need an L&C County burn permit, a MDEQ air quality permit (called a **Montana Wintertime Open Burning Request**), and you must activate your permit each day AFTER getting permission from MDEQ's meteorologist for burning on that specific day.
2. 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.**

**I have read and agree to the above terms and conditions:**

**Signature:** \_\_\_\_\_ **(Required)**

**The fee for a new permit is \$8.00.**

**The fee to renew and existing permit is \$5.00 (Make sure you include your old permit number)**

**Please remit your check or money order to:**

**Lewis & Clark County Treasurer  
Attn: Burn Permits, Room 113  
316 North Park  
Helena, MT 59623**

**Make check or money-order payable to:** Lewis & Clark County Treasurer