



Open Burning

What is open burning?

Open burning is defined under 326 IAC 4-1-0.5(6) as "the burning of any materials wherein air contaminants resulting from combustion are emitted directly into the air, without passing through a stack or chimney from an enclosed chamber." Open burning is generally prohibited in Indiana.

The Conditions Under Which Open Burning is Allowed

All of the various allowable open burning activities described on this page can only be performed under certain conditions (as described under [326 IAC 4-1-3\(b\) \[PDF\]](#)), including that:

- Burning must be done during safe weather conditions, not during high winds, temperature inversions, or on pollution alert days.
- Burning must be done during daylight hours.
- Fires must be attended until completely extinguished.
- Fires must be extinguished if they create a hazard, nuisance, pollution problem or threat to public health.
- Fire fighting equipment adequate for the size of the fire must be nearby.
- Burning activities also must comply with all other federal, state and local laws, rules and ordinances.

Situations When Open Burning is Allowed

The following types of fires are allowed:

- [Maintenance burning](#);
- [Private residential burning](#);
- Recreational or ceremonial fires, but only if:
 - Clean wood, charcoal, paper, or petroleum products are burned,
 - The local fire department was notified 24 hours in advance if the pile to be burned is more than 125 cubic feet (5 ft. X 5 ft. X 5 ft.),
 - The fire is not ignited more than 2 hours before the recreational activity is to take place and is extinguished upon the conclusion of the activity,
 - The pile to be burned is less than 1000 cubic feet (10 ft. X 10 ft. X 10 ft.),
 - The fire is not for disposal purposes, and
 - The fire is not within 500 feet of a pipeline or fuel storage area;

- Burning, for the purpose of heating, clean wood products or paper in a noncombustible container that is sufficiently vented to induce adequate combustion and has enclosed sides and a bottom;
- Prescribed burning by the Indiana Department of Natural Resources or the U.S. Forest Service;
- Burning by fire fighters to create fire breaks to extinguish an existing wildfire; or
- Burning clean petroleum products for fire extinguisher training.

Maintenance Burning

There are specific instances, as listed in greater detail in [326 IAC 4-1-3 \[PDF\]](#), when a person may open burn the following for maintenance purposes:

- Vegetation (from a farm, nursery, orchard, tree farm, cemetery [see [IC 13-17-9-1\(a\)\(1\)](#)], or draining ditch),
- Vegetation from agricultural land if the open burn occurs in an unincorporated area,
- Wood products derived from pruning or clearing a roadside by a county highway department,
- Wood products derived from the initial clearing of a public utility right-of-way in an unincorporated area, and
- Undesirable wood structures on real property, or wood remnants of the demolition of such a structure originally located on real property, located in an unincorporated area. Asbestos-containing materials must be removed and may not be burned.

Open Burning at Private Residences

Open burning at a private residence should not be construed to mean the [on-site open burning of construction debris](#) associated with the construction of a private residence. Residential open burning (household or yard waste) is banned totally in Lake, Porter, Clark, and Floyd counties. In all other Indiana counties, private residential (buildings with 4 or fewer dwelling units, but not apartment or condominium complexes or mobile home parks) open burning is permitted, but only in accordance with the following rules:

- Only paper or clean wood products (woody vegetation, leaves, or wood which is not coated with stain, paint, glue or other coating material, and no treated lumber) may be burned.
- Materials may only be burned in a noncombustible container that is sufficiently vented to induce adequate combustion and has enclosed sides and a bottom; burning on the ground is illegal.
- Burning must be done during safe weather conditions, not during high winds or on pollution alert days.
- Burning must be done during daylight hours.
- Fires must be attended until completely extinguished.
- Fires must be extinguished if they create a hazard, nuisance, pollution problem or threat to public health.
- Fire fighting equipment adequate for the size of the fire must be nearby.

- Burning activities also must comply with all other federal, state and local laws, rules and ordinances. It is particularly important that residents check with their local fire or [health department](#) because some cities or counties may have local ordinances which are more stringent than state open burning laws. (For example, in Indianapolis dried twigs and branches may be burned, but not leaves or paper, and the burning must be done in a ventilated, mesh-covered container. In addition, burning is allowed only between 10 a.m. and 3 p.m, and fines for open burning violations in Indianapolis can range from \$50 to \$2,500.)

Note: Although, as outlined above, the open burning of certain household wastes such as paper or clean wood products (woody vegetation, leaves, or wood which is not coated with stain, paint, glue or other coating material, and no treated lumber) may be burned under the appropriate conditions, burning of other types of household waste, such as various types of plastic, is not allowed.

Additional information on open burning may be found at <http://www.in.gov/idem/permits/guide/air/openburning.html>