Public Health
Prevent. Promote. Protect.
Shelby County Health Department

Shelby County Code of Ordnances

Section 3-16. Open Burning

(a) No person shall cause, suffer, allow or permit open burning of refuse, garbage, trade waste, trees, limbs, brush, or materials from salvage operations.

(b) Open burning as listed below may be conducted without permit subject to fire department approval and provided further that no public nuisance is or will be created by the open burning.

1) Fires used for the cooking of food or for ceremonial or recreational purposes including barbecues and outdoor fireplaces.

(2) Fires set for the training and instruction of firemen or for research in fire protection or prevention.

(3) Smokeless flares or safety flares for the combustion of waste gases provided other applicable sections of this chapter are met.

(4) Fires used for the reduction of leaves on the premises on which they fall by the person in control of the premises.

(5) Fire used for carrying out recognized agricultural procedures necessary for the removal of grain crop stubble.

(c) Exceptions to subsection (a) may be permitted if all of the following conditions are met:

(1) A request is filed with the health officer giving the reason why no method except open burning can be employed to dispose of the material involved, the amount and kind of material to be burned, the exact location where the burning will take place, and the dates when the open burning will be done.

(2) Approval is received from the health officer.

(3) Permission is secured from the fire department in the jurisdiction involved.

(4) The burning will be done between the hours of 9:00 a.m. and 4:00 p.m. or as authorized by the health officer.

(d) This grant of exemption will not relieve the person responsible for such burning from the consequences of any damages, injuries, or claims resulting from such burning.

(Ord. No. 1265, §1, 4-25-72; Code 1967, §3-16.) **NOTE: Section 3-16 is applicable only in the unincorporated areas of Shelby County.**

Additional information on the state TCA may be found by searching Tennessee Code Annotated Section 68-201-115(e) via the internet: