



**Marion County**  
OREGON

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## Backyard Burning Regulations



*Protecting the health and safety  
of the county's residents and  
visitors, and the livability of the  
community*

Marion County Code Enforcement  
5155 Silverton Rd. NE, Salem OR 97305  
Phone: (503) 373-4333 Fax: (503) 589-3284  
email: [enforcement@co.marion.or.us](mailto:enforcement@co.marion.or.us)

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### **Does the County regulate opening burning on property?**

Yes. The County regulates specific types of open burning on property located within that portion of the Salem-Keizer Urban Growth Boundary under Marion County jurisdiction. These regulations are covered in County Code Chapter 8.70. Public Works' Code Enforcement handles complaints regarding backyard burning.

### **We don't have authority to enforce:**

Burn complaints inside any city limits or rural areas of the County.

### **What are the regulations for property in Marion County but outside a UGB?**

You will need to contact your local fire department for information on their burning regulations and permits.

### **What kind of backyard burning is prohibited?**

The following are prohibited on property located within the unincorporated areas of the Salem-Keizer Urban Growth Boundary:

- Open burning of waste;
- The use of burn barrels to dispose of yard debris;
- Open burning of yard debris that creates a nuisance or hazard to public safety;
- Open burning of yard debris on days designated as non-burn days by the Oregon Dept. of Environmental Quality or any local fire district or department;
- Cause or allow any open burning of yard debris not originating on the subject property.

### **Are there exclusions to these prohibitions?**

Yes. The prohibition of open burning of waste or yard debris does not include:

- Recreational and ceremonial fires not fueled by waste or yard debris;
- Agricultural open burning by an agricultural operation, or
- Operation of any barbeque equipment.

### **Are there any permitted exceptions to these prohibitions?**

Yes. The prohibition of open burning of yard debris does not include the following activities, provided that, prior to burning, a permit is issued by Marion County and all materials to be burned conform to the requirements and/or limitations specified in the permit:

- The open burning of yard debris during daylight hours on an owner's property that is more than 2 acres in size or on contiguous properties under the same ownership totaling more than 2 acres in size;
- Burning during daylight hours for disease or pest control;
- The open burning of yard debris during daylight hours on properties currently classified by the Marion County Assessor as specially assessed arm or timber properties; and
- The open burning of yard debris during daylight hours that was created by natural disaster.

### **How do I obtain a permit to burn?**

Marion County Planning Division issues Backyard Burn Permits. You can download an application from their website or obtain one

from the office. Permits may be issued on the same day, depending on the size and duration of the request. The application form requires the following information:

- Completed application form;
- Site plan showing location of burn site;
- Written statement identifying materials to be burned, date(s) and time of the burn(s);
- Application fee of \$40.

For more information, contact Planning staff at (503) 588-5038; email [planning@co.marion.or.us](mailto:planning@co.marion.or.us) or the website at <http://www.co.marion.or.us/PW/Planning/default.htm>.

#### **What materials can I burn?**

County Code allows only open burning of yard debris which is defined as wood, stalk, stem, needles or leaf material from trees, shrubs, plants and lawns.

#### **What materials cannot be burned in my backyard?**

Open burning of waste which includes garbage, paper, clothing, plastic, and food waste is not allowed.

#### **When can I burn?**

Assuming you qualify under one of the exceptions listed above and have obtained your Backyard Burn Permit, you are permitted to burn yard debris, only, on Oregon Department of Environmental Quality (DEQ) authorized burn days during daylight hours of 7:30 a.m. to two hours prior to sunset. Call your local fire district for additional information on authorized burn days.

#### **How do I file a complaint?**

Contact Code Enforcement at (503) 373-4333 or email at [enforcement@co.marion.or.us](mailto:enforcement@co.marion.or.us).

#### **How do you determine if a violation occurred?**

A Code Enforcement officer will conduct an inspection to determine whether prohibited open burning is, or has, occurred. If a violation occurred, a citation may be issued. After a citation is issued, a hearing will be held before a Marion County Hearings Officer. After the hearing, the Hearings Officer will issue an order as to whether the alleged prohibited open burn did, in fact, occur, and the appropriate civil penalty. The property owner shall also be required to pay to the County, an amount equal to the hearing process fee as an administrative charge for hearing costs.

**Are complainants required to identify themselves?** No. However, anonymous complaints may be given a lower priority as they may not be as reliable as those made by citizens willing to identify themselves. Also, citizens providing their name, address or phone number will be informed of the enforcement investigation. Complainant information is kept strictly confidential.

#### **What other resources are available?**

Willamette Valley Fire and Rescue has local fire department contact and general burning information at: <http://wvfra.com/index.php>

#### State of Oregon DEQ:

Phone: (503) 229-5696 or toll free in Oregon 1-800-452-4011

<http://www.deq.state.or.us/aq/burning/openburning/openburn.asp>

Marion County Environmental Services has recycling and general disposal information: (503) 588-5169 and <http://apps.co.marion.or.us/Recycle/>

**For more information, visit our web site at [publicworks.co.marion.or.us/enforcement](http://publicworks.co.marion.or.us/enforcement).**

