



Marion County
OREGON

Backyard Burning Regulations



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

Marion County Public Works
5155 Silverton Rd. NE, Salem OR 97305
Phone: (503) 588-5036 Fax: (503) 589-3284

Does the County regulate “backyard” burning?

Yes. The County regulates open burning on property under Marion County jurisdiction through County Code Chapter 8.70.

We don't have authority to enforce:

Burn complaints inside any city limits.

Is “backyard burning” allowed within the Salem-Keizer UGB?

No. In an effort to reduce air pollution in areas of higher population, backyard burning is prohibited, with a few exclusions and exceptions listed below. Commercial businesses within the Salem-Keizer UGB cannot burn unless a special burn permit has been obtained from DEQ.

Are there exclusions to these prohibitions?

Yes. The prohibition of open burning 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 barbecue equipment.

Are there permitted exceptions to these prohibitions?

Yes. The prohibition of open burning 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 farm or timber properties; and
- The open burning of yard debris during daylight hours that was created by natural disaster.

What are the regulations for rural property outside a UGB?

Certain open burning is allowed on rural property outside urban growth boundaries. Contact your local fire department for information on their burning regulations. Contact information is listed below.

How do I obtain a permit to burn?

For properties that qualify under an exclusion or exception listed above, Marion County Planning Division issues Backyard Burn Permits. Download an application from the 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 or the website at <http://www.co.marion.or.us/PW/Planning/default.htm>.

If allowed, 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?

Burning of waste which includes garbage, paper, clothing, plastic, and food waste is not allowed. Use of burn barrels is prohibited.

When can I burn?

Assuming you qualify 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 Marion County Code Enforcement at (503) 373-4333 or email at enforcement@co.marion.or.us.

How do you determine if a violation occurred?

Code Enforcement 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. 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 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?

- Marion County Fire District #1: 503-588-6524 or <http://www.mcfld1.com/>
- Aurora, Hubbard, Monitor, St. Paul, Woodburn: 503-982-0011
- Silverton and Mt. Angel: 877-982-0011
- Jefferson: 877-982-0011
- Aumsville, Stayton, Sublimity, and Santiam Canyon area: 877-982-0011

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/>

