

*During the existence of an air pollution alert, as may be declared by the County Commissioner, after request by the County Health Department, all exceptions are void and no open fires may be kindled. Exceptions:*

*a. Open Fires Under Permit*

*(1) Application for burning permits shall be on forms provided by the County Commissioners or their duly authorized representatives.*

*(2) Permits shall be issued only when the County Commissioners or their duly authorized representatives are satisfied:*

*(a) that there is need for the kindling of the fire, and*

*(b) that there is no available practical alternate method for the disposal of the material to be burned, and*

*(c) that no hazardous condition will be created by such burning, and,*

*(d) that no leaves shall be burned in these areas where provision is made for public collection thereof.*

*(3) Any permit issued may be limited by the imposition of conditions to:*

*(a) prevent the creation of smoke as prohibited in Section 255 of this subtitle.*

*(b) protect property and the health, safety and comfort of persons from the effects of the burning.*

*(4) If it later becomes apparent that limitations need to be imposed for any of the reasons stated in (3) above, the County Commissioner or their duly authorized representatives shall so notify the permittee and any limitations so imposed shall be treated as conditions under which the permit is issued.*

*b. Open Fires Without Permit*

*(1) In places where public leaf collection is not available, leaves may be burned in open fires.*

*(2) In places where regular refuse collection is not available, open fires for burning of ordinary household trash may be set by householders provided:*

*(a) Fires are located no closer than 300 feet to any neighboring habitable dwellings or place where people work or congregate.*

*(b) Garbage, dead animals and animal waste are not burned.*

*(c) Materials which create dense smoke or emissions injurious or noxious to people or property are not burned.*

*(d) Burning is not done in violation of the Fire Code or of this subtitle.*

*(3) Open fires may be set in performance of an official duty of any public officer if the fire is necessary for one or more of the following reasons or purposes:*

*(a) for the prevention of a fire hazard which cannot be abated by other means,*