



BURN BAN/RESTRICTIONS GUIDANCE – 2017

Ensuring a safe and secure homeland for all North Dakotans

A local burn ban may only be issued upon a declaration of a local emergency or disaster pursuant to N.D.C.C 37-17.1-10. A burn ban is a temporary ban on open burning during extended periods of elevated fire danger due to widespread amounts of dry natural vegetation compounded by contributing weather conditions and/or outdoor activities. Open burning may only be prohibited and penalties enforced during a declared emergency, e.g. during periods of extreme fire danger.

Local governments, as well as the Governor, have authority to issue a burn ban under the Emergency Services chapter of the North Dakota Century Code. As an example on the local level, a burn ban could be issued when the fire danger is below the extreme category, but local and mutual aid fire resource capabilities have been severely diminished by continual response to multiple area fires created by a combination of weather conditions, abundance of dry natural vegetative or man-made materials and local activities such as holiday celebrations, hunting and/or camping. To protect property and provide for the safety and well-being of citizens, a fire emergency declaration with burn ban documentation could be declared until capabilities to fight fires have been restored and/or conditions improve.

Purpose of burn bans/fire restrictions:

The purpose of burn bans and fire restrictions is to reduce the risk of human-caused fires during unusually high fire danger and/or burning conditions and for the protection of human life and property. Burn bans and fire restrictions impose many limitations on the general public and therefore should be implemented only after all prevention measures have been taken (i.e. public awareness campaigns).

Who to coordinate with when considering issuing a burn ban/fire restrictions:

When making a determination to implement a burn ban/fire restrictions, it is recommended officials collaborate with local, state, tribal and federal entities, such as:

- County/city/tribal council/commission
- Local/Tribal fire officials
- Local/Tribal emergency management
- Local/Tribal law enforcement
- Local State's Attorney
- National Weather Service (NWS)
- ND Forest Service
- State Fire Marshal's Office
- State and Federal agencies with land in your jurisdiction (i.e. ND Game and Fish, ND Parks and Recreation, US Forest Service, National Park Service, US Fish and Wildlife Service, etc.)

Factors that should be taken into account before issuing a burn ban/fire restrictions:

Burn bans and fire restrictions should be considered when:

- High to Extreme fire danger is predicted
- Frequency of human-caused fires being experienced has increased
- Firefighting resources are diminished
- Potential high risk occasions (i.e. 4th of July, etc.)

- Large fire activity occurring within your jurisdictions
- Persistent drought conditions exist
- Surrounding jurisdictions are beginning to experience any of the above factors

Considerations when writing your burn ban/fire restrictions:

Local/Tribal jurisdictions have the flexibility to specify restrictions on certain types of open burning in an effort to accommodate seasonal activities or holiday events, or in extreme cases can specify “No outdoor burning of ANY kind,” indicating no exposed flame outside of a building.

- Outline what is being banned/restricted (i.e. campfires, fireworks, off-road travel, charcoal grills, burning of garbage and/or land, etc.) and under what conditions so it is easily understood by the public as to what they can and cannot do and when. You may want to consider using the [ND Rural Fire Danger Guide](#).
- Determine what you are wanting to accomplish by implementing a burn ban/restrictions as this will help decide what conditions to tie it to.
 - Fire Danger Rating and/or Red Flag Warning
 - Total Ban regardless of conditions
 - Fire Chief approval/discretion regardless of conditions
- A burn ban should be rescinded in a timely manner when fire danger conditions have improved and/or previously diminished fire response capabilities have been restored.

Fire Danger Rating and how it is calculated:

The Fire Danger Rating provides an indication of rural fire potential for growth and spread for any fire that ignites. It is a forecast of the potential for non-agricultural grasslands to carry fire and is an indication of the probability of a fire growing beyond initial attack response, not necessarily the frequency of fires or number of starts. Should a fire ignite, it is more likely that it would grow or spread during higher fire danger rating days. It is based on temperature, humidity, wind and the fuel moisture of non-agricultural grasslands.

Notification that burn ban/fire restrictions have been implemented:

A variety of means (i.e. websites, social media, media – newspapers, TV, radio, etc.) should be leveraged to ensure the public is aware of burn bans/restrictions. In addition, minimum notifications should be made to appropriate local responders, agencies having land within your jurisdiction and the ND Department of Emergency Services (NDDDES). Since issuance of burn bans/fire restrictions impose many limitations on the public, implementation of burn bans/fire restrictions for an entire year or season is not ideal. However, if doing so it is important that ongoing outreach and public awareness actions are in place to ensure those moving into or visiting your jurisdiction are aware.