Burn Permits

Key Points Regarding Burn Permits:

Town forest fire wardens are responsible for the issuance of burning permits in their town. The warden may delegate some of this responsibility to Key Persons if steps are taken to assure proper review of requests to burn.

Permission to burn is granted only when the town fire warden issues a "Permit to Kindle Fire". When a statewide ban on issuing permits is in effect, no permits may be issued. It is recommended to restrict or prohibit burning during times of elevated fire danger.

Permission to burn from a town fire warden may be in written or verbal form. It is recommended that fire wardens opt to give permission by written permit as this will avoid misunderstandings on the instructions to the permittee, but remember verbal permission is better than burning without any permission. If verbal permission is used, a written permit must be completed for record keeping purposes within 12 hours after the verbal permission was given. If enforcement action involving a person having received permission to burn from you, as fire warden, then a written copy of a permit will better support and justify your actions.

It is recommended that if you are not familiar with the person requesting a burn permit or the location where the burn will occur, you should visit the person at the burn site. If a large amount of burning in one location is being requested, you should also visit the site before issuing the permit. You can then set specific conditions to avoid escape risk or related problems.

Issue permits for specific days and places to avoid problems. Do not exceed two or three days for a standing permit. You as warden may set specific written conditions of the permission to burn. If "special written conditions" are written on the permit, they become part of the permit and are enforceable. If an individual violates the conditions of burn permits, especially if the violations are habitual, you may choose to refuse issuing any future permits to him/her. If you feel the violation is serious enough, you may issue a fire prevention ticket.

It is important you maintain copies of all the permits, including those you issued verbally and then recorded in your permit book. Your District Fire Supervisor will need to know the number of burning permits issued in your town for that current year, including permits issued by Key Persons.

Be sure to complete all the information required on the burning permit and review the conditions printed on the backside with the permittee. Write the telephone number of your town's fire dispatch center or "911" where indicated on the permit and be sure to have the

permittee sign it as well as yourself. Advise the permittee to keep the written permit in their possession while burning. Advise the permittee that all the conditions of the “Permit to Kindle Fire” must be followed and failure to do so will render the burn permit invalid and their fire will be an unpermitted burn.

Whether a warning or a fire prevention ticket is issued on a permit violation, you have the authority to have the fire extinguished. If the violator cannot or will not extinguish the fire, you may summon the fire department to do this. If you wish to recover suppression costs from the violator, the town must pursue this through civil action. If your town has a Fire Department Service Reimbursement Ordinance that covers non-permitted burns, the town can invoice the violator using rates listed in ordinance.

A “Permit to Kindle Fire” from a town forest fire warden does not substitute for an air quality open air burning permit. When any air quality permit is issued, a permit from the town fire warden will be a condition of that permission. Review the air pollution section of this handbook for more details.

If you have any questions about how and when to issue burning permits or need additional permit books, contact your District Fire Supervisor.

Brush Fires

A "Permit to Kindle Fire” is required from the Town Forest Fire Warden for burning untreated wood, brush, weeds, or grass, unless there is 200 feet of separation from the burn site and any flammable materials or there is snow on the site. Some towns have municipal ordinances that require burn permits whether snow is present or not.

A warden may refuse to issue a permit if, in their judgment, the weather or the site conditions create a dangerous situation.

Campfires

A person is not required to have a permit for a campfire on their own land provided that the fire is contained in a fire ring and not located within woodland, timberland, or a field containing dry grass or other flammable plant material contiguous to woodland. During a statewide burn ban issued by FPR, these fires are allowed since they do not require a burn permit.

Provisions Applying to ALL Fires at ALL Times

Fires kindled for the purpose of burning brush or for other lawful purposes shall be kindled only at such times and under such conditions as will enable the parties starting them to keep them entirely under control and not create a public nuisance or hazard. **Fires must be attended at all times.**

A person who builds a fire in or adjoining any woods shall totally extinguish such fire before leaving it.

See the section on Forest Fire Laws for additional information on permission to kindle fires.

Issuing a "Permit to Kindle Fire"

Each burn permit must have a separate number. For record-keeping, it is advisable to include the year as part of the "Permit No." and to number each year's permits sequentially. The burning permit automatically makes a press-through copy as you fill it out. When issuing a "Permit to Kindle Fire" in person, give the permittee the white copy and keep the yellow copy for your records. When recording a permit that you issued verbally, write "verbal permission" for the permittee's signature.

Remember: Insert page divider behind the yellow copy when writing a permit.

Example of a Burn Permit

FRONT

STATE OF VERMONT
Department of Forests, Parks and Recreation

PERMIT TO KINDLE FIRE

Permit No. . . . . Date Issued . . . . . 20 . . .

Permission is hereby granted to . . . . . .
to kindle a fire in accordance with Vermont State Forest Fire Laws (10 V.S.A. Chapter 83, Section 2645)

at . . . . . .

in the town of . . . . . on date(s) . . . . . 20 . . .

Special Written Conditions (if required by Warden)

. . . . . .

. . . . . .

I, the undersigned permittee, understand the law and my responsibility under this permit.

. . . . . .

Permittee's Signature Warden's Signature

READ CONDITIONS ON REVERSE SIDE OF THIS PERMIT BEFORE BURNING

BACK

This Permit is granted under the following conditions:

1. This permit is valid for place and time stated.
2. This permit in no way relieves the person to whom it is granted from any liability related to the fire or any damages it might cause.
3. The person setting the fire must at all times have sufficient help and tools present to control the fire.
4. Only natural wood material may be burned under this permit. Other materials burned require an Air Pollution permit as well as this permit.
5. The fire must not be left until it is entirely extinguished.
6. Restricted materials cannot be used to ignite natural wood materials.
7. Any special conditions written on this permit are to be considered as part of "conditions to burn".
8. If any permit condition is not followed, then the permit is immediately invalid and you will be burning illegally.
9. Violation of the conditions of this permit may result in the permittee receiving a "Vermont Fire Prevention Ticket" which will result in court action and a fine for each day of violation.
10. If you do not understand the law or have further questions, contact your local forest fire warden before you burn. This permit may be cancelled for cause at any time.

IMPORTANT

If your fire escapes!

Call: _____

_____
Warden's Telephone Number

Camping and Campfires

As a Town Forest Fire Warden or Deputy Fire Warden, your responsibility for issuing "Permits to Kindle Fire" is primarily intended for prevention of forest fires. The material to be burned must comply with the definition of Natural Wood found in § 2645 (d) (1). Your judgement and common sense will be the best means to determine whether an open burn should have a "Permit to Kindle Fire."

On State Owned Land

The Agency of Natural Resources has the following policy with respect to camping and campfires:

> *Camping is allowed at developed areas (excluded are areas such as beaches, boat launch sites, picnic areas, and roadside turnouts). In developed areas fires shall be built only in fireplaces or charcoal grills provided on the site.*

On Green Mountain National Forest Land

Camping is permitted on Green Mountain National Forest land. Campers are encouraged to use designated sites where proper facilities have been provided. Campfires should be built in facilities when provided. In locations where fire facilities do not exist, fires must be built in a safe location where they will not escape. A person starting a campfire is responsible for preventing its escape. It is a **violation** of **federal regulations** to leave a campfire without completely extinguishing it.

On All Private Land

The actual enforcement of these laws is a matter for the State Police or local law enforcement officers.

It is our understanding that a person must receive a warning before any action can be taken under general trespass laws. The posting of rules and regulations is considered warning.