

BURNING PERMIT

Permits to Kindle Fire(s)

(10 V.S.A., Ch. 83, §2645(a))

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

Permission to burn is granted only if the town fire warden deems it is safe to do so. During periods that local or statewide bans on issuing permits are in effect, no permits may be granted. It is recommended to restrict or prohibit burning during times of higher forest fire danger. See fire season information section.

A burning permit 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.

Permission to burn from a town fire warden may be in written or verbal form. If verbal permission is used, a written permit must be completed for record keeping purposes within 12 hours after the verbal permission was given. It is recommended that fire wardens opt to give permission by written permit as this will avoid misunderstandings on your instructions to the permittee, but remember verbal permission is better than burning without any permission. If enforcement action is needed in the case of a fire problem resulting from the actions of a person having received permission to burn from you, as warden, then a written copy of a permit will better support and justify your actions. If a large amount of burning in one location is being requested, or if you have questions or concerns, you should 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 written on the permit, they become part of the permit and are enforceable. If you experience anyone that violates the conditions of burn permits, especially if the violations are habitual, you may choose to refuse issuing any future permits to them. 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 you have issued during the year. During the annual review process your Protection Technician will need to know the number of burning permits issued in your town for that current year.

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 the town fire department where indicated on the permit and be sure to have the permittee sign it as well as you signing it. Advise the permittee to keep the written permit in their possession while burning.

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 you have any questions about how and when to issue burning permits or need additional permit books, contact your Protection Technician.

BRUSH FIRES

A permit from the Town Fire Warden is required for burning brush, weeds, or grass, if within 200 feet of woodland or fields containing dry grass or other inflammable plant material adjoining woodland, except when there is snow on the site.

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

CAMPFIRES

A person is not required to have a permit for a campfire (any fire for cooking or warming) on their own land.

A person is required to have permission for a campfire on lands of another between April 1 and November 1 and such permission can be obtained only from the owner of the land.

PROVISIONS APPLYING TO ALL FIRES AT ALL TIMES

Fires kindled for the purpose of burning brush or for other lawful purpose 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 creating 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.

The burning permit automatically makes a press through copy as you fill it out. A stub does not need to be completed and only one set of signatures is necessary. Retain all permit copies for your records.

The front of the permit has a place for you as Warden to write in special instructions for the permittee. Once they are written, they become part of the permit conditions. In addition to this list, there is a place for you to write in the fire department telephone number as well as your own.