

1 H.161

2 Introduced by the Committee on Agriculture, Food Resiliency, and Forestry

3 Date:

4 Subject: Conservation and development; Department of Forests, Parks and

5 Recreation; forest fires and fire prevention; burning permits

6 Statement of purpose of bill as introduced: This bill proposes to clarify that
7 the Commissioner of Forests, Parks and Recreation may notify fire wardens
8 that during specified periods, burning permits shall not be issued.

9 An act relating to issuance of burning permits

10 It is hereby enacted by the General Assembly of the State of Vermont:

11 Sec. 1. 10 V.S.A. § 2645 is amended to read:

12 § 2645. OPEN BURNING; PERMITS

13 (a) Except as otherwise provided in this section, a person shall not kindle
14 or authorize another person to kindle a fire in the open air for the purpose of
15 burning natural wood, brush, weeds, or grass without first obtaining
16 permission from the town forest fire warden or deputy forest fire warden,
17 stating when and where such fire may be kindled. Wood, brush, weeds, or
18 grass ~~may~~ shall not be burned if they have been altered in any way by surface
19 applications or injection of paints, stains, preservatives, oils, glues, or

1 pesticides. Whenever such permission is granted, the fire warden, within 12
2 hours, shall issue a written “Permit to Kindle” for record purposes stating
3 when and where such fire may be kindled.

4 (b) With the written approval of the Secretary, during periods of increased
5 fire hazard, the Commissioner may notify town fire wardens that for a
6 specified period no burning permits shall be issued. The fire wardens shall
7 issue no permits during the specified period.

8 (c) The provisions of this section will not apply to:

9 (1) the kindling of a fire in a location where there is snow surrounding
10 the open burning site;

11 (2) fires built in stone arches, outdoor fireplaces, or existing fire rings at
12 State recreational areas or fires built in stone arches, outdoor fireplaces, or fire
13 rings on private property that are not located within woodland, timberland, or
14 a field containing dry grass or other flammable plant material contiguous to
15 woodland;

16 (3) the kindling of a fire in a location that is 200 feet or more from: any
17 woodland, timberland, or field containing dry grass or other flammable plant
18 material contiguous to woodland; or

19 (4) areas within cities maintaining a fire department.

20 (d)(1) As used in this section, “natural wood” means:

21 (A) trees, including logs, boles, trunks, branches, limbs, and stumps;

1 (B) lumber, including timber, logs, or wood slabs, especially when
2 dressed for use; and

3 (C) pallets that are used for the shipment of various materials, so
4 long as such pallets are not chemically treated with any preservative, paint, or
5 oil.

6 (2) “Natural wood” ~~shall~~ does not mean other wood products such as
7 sawdust, plywood, particle board, or press board.

8 (e) Nothing in this section shall be construed to limit the authority of the
9 air pollution control officer to prohibit open burning in accordance with the
10 rules adopted under chapter 23 of this title.

11 Sec. 2. EFFECTIVE DATE

12 This act shall take effect on passage.