



GRANBY FIRE/EMS

259B State Street
Granby, Massachusetts 01033
(413) 467-9697
Chief John E. Mitchell Jr.

25 November 2019

Greetings,

I am posting this announcement in efforts to inform the residents of our community of two significant changes that will be occurring starting January 1st. The first change will be regarding the rules and process of obtaining open burning (brush) permits. The second will pertain to the rules for recreational (cooking) fires.

For many years, the Granby Fire Department has issued “seasonal” as well as agricultural burn permits for those who qualify as being agricultural. Massachusetts General Law (M.G.L) 148 Section 10A governs Permits Granted by the Head of the Fire Department. Permits for open burning is covered under M.G.L 48 Section 13 and 527 Code of Massachusetts Regulation (CMR) Section 1.12.8.1.2. This CMR states “Open air burning permits required by Sections 10.10.1, 10.10.4.1.1 and 10.10.4.1.2 shall be issued for a period not exceeding two days from the date of the permit.” Pursuant to the listed laws and codes, the Granby Fire Department is no longer able to issue “seasonal” permits for brush burning.

Brush Burning (Open Air Burning) permits will now be issued for a period of no more than 2 days. This is the law of our Commonwealth. Because we know this is a change in operation and may cause some minor hardships for our residents, the fee for brush burning permits will be reduced to \$5.00 and the permits will only be valid for the dates listed on the permit. Once a permit has expired, a new permit will be required to be obtained for the \$5.00 fee. It is recommended to plan early for your brush burning needs.

For those requesting an Agricultural Burn Permit, such request must be vetted by a member of the Fire Department. When an agricultural permit is requested, a member of the fire department must visit the location to verify compliance with agricultural standards. This will be a one time visit and any location requesting the permit shall, unless a change in ownership or operation, be considered agriculture in nature.

Residents should also be aware of violations of the open burning laws. There are 4 levels of violations, the first being a “Warning of Violation” which is typically preferred. This warning is written in nature on a ticket (citation) form and filed as a record. If a violation is such that the number or severity of violations is egregious, a 1st Offense violation may be issued. A 1st Offense carries a fine of \$100.00, 2nd Offense \$500.00 and a 3rd Offense is \$1000.00. The full set of rules for brush burning will be listed on the permit and be uploaded to the Granby Fire Department webpage at granbyfire.org no later than 1 January 2020.

I am aware unpredictable events or weather-related instances that may impede a brush burning period do occur. 527 CMR 1.12.6.8 allows the Authority Having Jurisdiction (AHJ), in this case the Fire Chief, to extend a permit upon presentation of a satisfactory reason for failure to start or complete the work or activity authorized by the permit. As such, if a permit is not used in the given date range, a permit holder may request an extension to be approved on a case by case basis. Permits will only be allowed one extension.

There have been many questions regarding “fire pits” and where they fall under recreational burning. Massachusetts does not have a “Recreational Burning Law” per se. Recreational burning does fall under Outdoor Fires of 527 CMR Section 10.10 and M.G.L. 48 Section 13. Some of the rules for outdoor fires other than brush burning include:

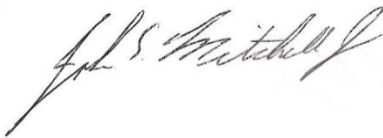
- Shall only be done after 4pm
- Shall not be conducted within 75 feet of a structure or combustible materials
- Be placed on a flat surface
- Be small and manageable no greater than 3 feet in diameter
- Be continually monitored
- Have a fire extinguisher, garden hose or water bucket available for quick extinguishment

Many of the same regulations such as the types of materials that can and cannot be burned will apply. A full set of guidelines regarding recreational burning for Granby as well as recommendations for having approved outdoor fires can be obtained in writing at the Granby Fire Department and will be posted on the Granby Fire Department website after 1 January 2020 at www.granbyfire.org. Note that these types of fires do not require a permit. Residents may request a member of the fire department view any fire pits or burning areas to determine if it is appropriate and be provided suggestions to ensure compliance.

If you should have any questions, concerns or comments, I am available for you at the Fire Station, can be contacted at the number listed above or emailed at jmitchell@granbyfire.org. I thank you for your understanding and ask for your assistance as we at the fire department continue to promote fire prevention and life safety.

Sincerely;

X



John E. Mitchell Jr.
Fire Chief