

SYNOPSIS OF FIRE PERMIT LAWS AND ADMINISTRATIVE RULES

From RSA 227-L:17 and Res 5600

Permission - No person shall kindle a fire upon the land of another without written permission from the owner, agent or caretaker thereof.

Permits - No person, firm, or corporation shall kindle or cause to be kindled any fire or shall burn or cause to be burned any material, and no city or town shall kindle or maintain a fire on a public dump, except when the ground is covered with snow, without first obtaining a written permit from the forest fire warden of the town where the burning is to be done unless it is in the presence of the warden or the warden's agent. The State Forester may make and adopt such reasonable rules and regulations as may be necessary to give effect to the provision, and he shall prepare all state permits issued by Forest Fire Wardens, or his agent.

Liability - Any person, firm or corporation causing or kindling a fire without a permit, when a permit is required, and also any person by whose negligence or the negligence of his agents any fire shall be caused, is liable to the town for all expenses incurred in attending or extinguishing such fire. Every person who shall set fire on any land that shall run upon the land of another, shall pay to the owner all damages done by such fire.

Category I Fire - means a small controlled fire, such as a camp or cooking fire, no greater than 2' in diameter contained within a ring of fire resistive material or in a portable fireplace. A category I fire, conditions permitting, may be kindled with a permit at any time of day whether raining or not.

Category II Fire - means a controlled fire, such as a camp or cooking fire, no greater than 4' in diameter contained within a ring of fire resistive material or in a portable fireplace. A category II fire, conditions permitting, may only be kindled with a permit between the hours of 5:00 pm and 9:00 am unless it is actually raining.

Category III Fire - means any other fire, not a category I or category II fire or a fire greater than 4' in diameter or a fire not contained within a ring of resistive material. A category III fire, conditions permitting, may only be kindled with a permit between the hours of 5:00 pm and 9:00 am unless it is actually raining.

Category I or Category II Fires - When written permission has been obtained from the landowner, and a written permit from the Forest Fire Warden, or his agent, category I or category II fires may be kindled in fireplaces, at suitable times and in suitable places where they will not endanger woodlands. Category I and II fires must be kindled in an approved device or enclosed by a fire ring. Upon failure to totally extinguish such fires, the parties responsible are subject to the same liabilities and penalties as are prescribed for other fires.

Penalty - For kindling a fire in woodlands of another without written permission of the owner, or for kindling any fire without a written permit when a permit is required, a person may be guilty of a misdemeanor and fined up to \$2,000.00, and/or imprisoned for a period of up to 1 year.