



The Department of Environmental Protection regulates open burning to limit the production of smoke in the interest of air quality, and to reduce the potential of wildfire devastating our natural resources and the surrounding communities.

## **PROHIBITED**

*Under "Control and Prohibition of Open Burning"  
N.J.A.C. 7:27 - 2.1 et seq.*

- Salvage operations by open burning (7:27 - 2.2).
- The disposal of rubbish, garbage, trade waste, building or structures by open burning. (7:27 - 2.3A).
- The disposal of fallen leaves by open burning (7:27 - 2.3B).
- The disposal of any plant life by open burning, except as permitted (see reverse side).
- Transfer of permits issued from one location to another or from one person to another.

*Under New Jersey Forest Fire Law  
N.J.S.A. Title 13:9*

- Setting fire to any forest, brush, grassland or tidal marsh without the written permission of a Forest Firewarden (13:9-20).
- Having any fire by which property may be endangered without maintaining a careful and competent watch (13:9-20).

**In addition, all open burning must conform to the NJ Fire Prevention Code (N.J.A.C. 5:70-3 et seq.), enforced by the NJ Division of Fire Safety or local Fire Official.**

**Violations may result in fines to \$5000 and Reimbursement of costs associated with Extinguishing the fire!**

## *Safety Precautions*

-  **Obtain necessary permit(s) and keep it available while burning.**
-  **Never burn when the wind is high.**
-  **Live sparks can travel several hundred feet downwind.**
-  **Never burn during a drought or high fire danger, or when the woods and vegetation are extremely dry.**
-  **Check for burning restrictions at:  
[www.njwildfire.org](http://www.njwildfire.org)**
-  **Make all required notifications.**
-  **Have a 5 foot fire break (cleared to mineral soil) completely around fire.**
-  **Build the fire no larger than Necessary.**
-  **Never leave a fire unattended no matter how safe it appears.**
-  **Keep water and a shovel or rake handy.**
-  **Always make sure your fire is completely out before leaving.**
-  **Keep emergency contact numbers and a phone readily available.**



**NEW JERSEY  
FOREST FIRE SERVICE**

[www.njwildfire.org](http://www.njwildfire.org)

# **OPEN BURNING REGULATIONS**

*Contact us at:*

**NJ FOREST FIRE SERVICE  
240 MAIN STREET (ROUTE 206)  
ANDOVER, NJ  
07821**

**OFFICE: (973) 786-6350  
FAX: (973) 786-6107**

*Counties Covered:  
Bergen, Essex, Hunterdon, Morris, Passaic,  
Somerset, Sussex, Union, Warren, Mercer  
County north of D&R Canal and Middlesex  
County north of the Raritan River*

# Permits

## Agricultural Open Burning

New Jersey Administrative Code 7:27 Subchapter 2 "Control and Prohibition of Open Burning" requires that the NJ Forest Fire Service administer and issue permits for the following:

TYPE	DURATION	FEE
Infested Plant Life	30 days	\$10.00
Herbaceous Plant Life and Hedgerows	7 Days	\$10.00
	90 days	\$25.00
	1 Yr	\$50.00
Orchard Prunings And Cullings	7 Days	\$10.00
	90 Days	\$25.00
	1 Year	\$50.00
Agricultural Land Clearing	90 Days	\$25.00 + \$1.00 / ac To \$50.00 maximum

- Open Burning permits are issued only to bonafide agricultural or related operations and not individual homeowners.
- Permits cannot be issued when another effective method of disposal is available.
- Permits cannot be issued in any municipality which prohibits open burning.
- Permits may be declared void by the department and fee forfeited by any misrepresentation and/or burning in a manner or purpose other than intended. A fine may also be imposed.
- Permits are not transferable, and must be in possession of the person doing the burning and shown upon request.

## Recreational Fires

The "General Forest Fire Act" (N.J.S.A. 13:9 et.al.) requires that before having ANY fire within a forested area, you must contact the nearest NJ Forest Fire Service office to request a permit. You may also need a permit from your local fire official or NJ Division of Fire Safety.

Recreational Fire Permits may be issued as follows:

### EVENT

Ceremonial or Non-residential event.  
Valid for a max of 2 days.

(Maximum allowable fire size 5' X 5' X 5')

### REGULAR

Residential use. Valid for up to 30 days.  
(Suggested fire size 2½' X 2½' X 2')

### SEASONAL

Approved recreation areas up to 90 days  
(residential properties not allowed)

Recreational permits are issued free of charge and should be requested at least 10 days in advance.

### A SELF-ADDRESSED, STAMPED ENVELOPE IS REQUIRED FOR PROCESSING.

No permits may be issued for a fire that is in violation of the State Air Pollution Code or conflicts with the State Fire Prevention Code.

Permits may be secured with the understanding that they give the holder no right to enter or use the property of another without the owners permission.

Permits are not transferable, they must be in possession of the person doing the burning and shown upon request.

NJ Forest Firewardens may place any restrictions or special conditions on burning that local conditions may warrant.

## Special Permits

**Prescribed Burning:** In accordance with a plan approved by and under the control and supervision of the NJ Forest Fire Service is allowed under *New Jersey Administrative Code 7:27 Subchapter 2 "Control and Prohibition of Open Burning"*

Visit

[www.njwildfire.org](http://www.njwildfire.org)

for more information regarding regulations and prescribed burning application.

*Subchapter 2* allows the DEP Bureau of Enforcement (609-633-8222) to issue permits for **open burning due to an emergency** such as a wind or ice storm, of excessive quantities of plant wastes, and for safe removal by **open burning of dangerous materials**, such as explosives.

## Special Restrictions

NJ Forest Firewardens can refuse to issue permits during any conditions that may make burning dangerous, or permits may be banned or rescinded entirely by the State Firewarden.

The following recreational permit restrictions may take effect without prior notice:

### STAGE #1

All fires directly on the ground in wooded areas will be prohibited.

### STAGE #2

All fires in wooded areas will be prohibited unless in an elevated prepared fireplace, elevated charcoal grill, or stove using electricity or a liquid or gas fuel.

### STAGE #3

All fires in wooded areas will be prohibited unless using electricity or a liquid or gas fuel.

[www.njwildfire.org](http://www.njwildfire.org)

[WWW.NJWILDFIRE.ORG](http://WWW.NJWILDFIRE.ORG)