



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

Office of Facilities Planning
Room 1060 Education Building Annex
89 Washington Ave.
Albany, NY 12234
Tel: (518) 474-3906
Email: emscfp@nysed.gov Website: www.nysed.gov/facplan

NYSED Open Burn – Bonfire Permit Rules and Regulations:

Provide with application - a 8.5x11 scalable aerial photo or map indicating district property boundary, buildings, burn location, off-site structures within 200FT of proposed burn location.

Provide with application - a letter from the local Fire Marshal assuring that suitable conditions or atmospheric or other circumstances are expected for the permitted open burn date and time

Provide with application - a letter from the local Fire Department assuring monitoring for the burn date and time

Provide with application – copies of communications with any Federal, State, County or Local Agency Having Jurisdiction – district is to comply with any more restrictive requirements of local community or agencies – compliance with burning restrictions is required

Conditions:

- A. Mandatory compliance is required with 2020 NYS Fire Code Section 307 Open Burning - Recreational Fires
- B. Conditions that would allow the spread of fire to within 50 feet of a structure shall be eliminated prior to ignition.
- C. No burn shall be started, kindled or maintained when the prevailing wind velocity exceeds ten (10) miles per hour or when the fire danger level is posted at high or extreme as listed @ <http://pb.state.ny.us/> or by the Local Fire Marshal.
- D. Open burn shall 1. not be started or maintained less than fifty (50) feet from any combustible material, vegetation, tents, fence, building property line or permanent structure **and** 2. not within two hundred (200) feet of any posted or protected habitat or known wildlife colony **and** 3. shall not be located within one hundred feet fifty (150) east or west of any vehicle or pedestrian way.
- E. Open burn shall be maintained and supervised by the applicant, or delegated representatives.
- F. Burn debris must be removed from the site. Dispose of debris in a lawful manner. Restore the site to its natural and original condition.
- G. Burn only wood pieces. NO BURNING CCA, GARBAGE, PLASTICS, TIRES, RUBBER, GUNPOWDER OR TREATED WOOD. NO BURNING ASSEMBLED STRUCTURE, TOWER, TRAILER, MODULAR BUILDING OR SIMILAR.
- H. Fire extinguisher of minimum 4-A rating and a suitable volume of water must be visible and available for immediate use throughout the burn.
- I. A functional telephone must be available at burn site.
- J. **Applicant is School Superintendent**

COVID-19

Please note that it is not under NYSED's jurisdiction to authorize the district to have a large gathering on-site. That authorization must be obtained from the appropriate governing authority during times of applicable limitations due to the COVID pandemic. Please coordinate with current requirements of State and Local Health Departments.

NYSED Open Burn – Bonfire Application:

District Name: _____ District Office Address: _____
Name of School: _____ School 911 Address: _____
Superintendent Name: _____ Phone: _____ Email: _____
Event Date & Time: _____ Expected Attendance: _____ Associated Activity: _____
Local Code Official: _____ Phone _____

I, the undersigned applicant, has read all the conditions and understand that I am responsible to comply with all regulations stated above and IFC (2020) section 307. Any false statement made herein is punishable as a misdemeanor, pursuant to section 210.45 of New York State Penal Law. And shall be responsible for any resulting damages to property or persons resulting from the burn, burn debris or event related material.

(Print) School Superintendent Name: _____ Signature: _____

- No responsibility rests upon New York State Department of Education by issuance of this permit
- Extinguishment authority is granted to the local fire department - permit is revocable at any time for due cause by any State or Local AHJ Enforcement Officer/Fire Chief having jurisdiction. Retain on site on the day of the event a copy of the approved permit and map. Provide permit & map upon request of any State or Local AHJ Enforcement Officer/Fire Chief.
- Permit is only valid for date, time & location indicated – ANY DEVIATIONS CAUSE PERMIT TO BECOME NULL AND VOID.