



# Sunderland Fire Department

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## **Residential Fires (including Fire Pits, Chimineas, etc.)**

### **READ THE FOLLOWING IN FULL**

At single family dwellings (with the owner's permission), there are no special permits required in the Commonwealth of Massachusetts for the use of outdoor fire pits, chimineas and recreational fires. There are, however, several requirements based on Department of Environmental Protection regulations (DEP), the Massachusetts State Fire Laws & Codes (MGL Chapter 148 & 527 CMR), the 2021 International Fire Code (IFC) and the State Fire Marshal (SFM). The word "FIRE" used below shall mean: any outdoor recreational fire, fire pit, chiminea, etc.

### **ALL FIRES MUST BE PRIMARILY USED FOR COOKING PER 527 CMR, MGL 48, AND THE MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION**

### **ALL RECREATIONAL FIRES SHOULD ALWAYS BE CONSIDERED A HAZARD TO CHILDREN AND PETS.**

1. All fires must be used appropriately and for primary cooking purposes only. When use is altered, they will be subject to Mass DEP open burning regulations. Open residential burning season is from January to May and requires a permit. (DEP)
2. The fire must be small and manageable, no greater than 3 feet in diameter. By definition, a fire larger than 3 feet in diameter is no longer considered a cooking or recreational fire; and will require a permit. (IFC)
3. All fires must be constantly attended by a competent adult person (over the age of 18) until extinguished. (IFC)
4. It is required to keep a fire extinguisher, garden hose, or water bucket available for quick extinguishment if necessary. (IFC)
5. Fires shall not be conducted within **50** feet of a structure or combustible materials. (DEP and SFM)
6. The fire pit/chiminea/recreational fire should be placed on a flat, noncombustible surface, level surface at grade (i.e. not on a deck). Additionally, these shall not be placed on porches, roofs, balconies or near any flammable or combustible material (tents, campers, vehicles containing fuel, etc.)

*Continue reading page 2...*

7. An area of **50** feet should be cleared around the fire in all directions, and clear of all dry vegetation and combustibles. Make sure the fire is placed away from other materials that could burn or catch fire, both overhead and to the sides such as building components, tree limbs, sheds, awnings, etc. (DEP and SFM)
8. Open fires ARE NOT INCINERATORS. The burning of leaves, foliage, trees, trash, rubbish, painted or stained wood and construction debris is prohibited by Massachusetts D.E.P.
9. Do not cause a nuisance or health hazard to your neighbors. Never use wet or damp wood. This creates needless, irritating smoke. Always use dry seasoned wood, charcoal, or specialist fuel (e.g. wood burning briquettes). If the Sunderland Fire Department receives complaints from neighbors that the smoke or smell is bothersome, we will investigate, and if deemed necessary, you may be instructed to extinguish the fire. (MGL Chapter 148) & (527 CMR)
10. Never use an accelerant to light any fire. There have been many cases of people getting burned while trying to light a fire with a “small amount” of gasoline.
11. Environmental condition(s) may also limit or exclude the use of a Fire Pit such as bad air quality or a 4 or 5 Fire Danger classification day (sometime referred to as a “Red Flag” day). (DEP)
12. Burn will be halted at Fire Officer’s discretion for violation of any regulation.
13. Follow the manufacturer’s recommendations and instructions when using any above-ground fire pit or chiminea.

**THE ABOVE RULES DO NOT AFFECT THOSE PERTAINING TO  
MASSACHUSETTS PERMITTED RESIDENTIAL OPEN BURNING SEASON THAT RUNS  
FROM JANUARY TO MAY.**

If you have any further questions related to the use of open fire pits and recreational fires, please call the Sunderland Fire Department – to speak with one of the Fire Officers at 413-665-2465 during normal business hours or send a general email to <mailto:inspections@sunderlandfire.com>.