



Nantucket Fire Department  
4 Fairgrounds Road  
Nantucket, MA 02554  
508-228-2324

# Open Fire Guidelines & Regulations

The Fire Department and many other town departments have received numerous questions in regards to what fires are permitted. Fire Pits, Beach fires and Bonfires are more frequently asked during the summer with Brush burning in the winter months. Please call our Fire Prevention office with any questions.

Much of the information provided is taken from Massachusetts State web sites, Massachusetts General laws and the fire code for Massachusetts.

Chapter 48 section 13 of the Mass general laws states “persons eighteen years of age or older may, without a permit, set, maintain or increase a reasonable fire for the purpose of cooking, upon sandy or gravelly land free from living or dead vegetation or upon sandy or rocky beaches bordering on tidewater, if the fire is enclosed within rocks, metal or other nonflammable material.”

527 CMR 1.3.3.72 Cooking Fire. The noncommercial, residential burning of materials not exceeding 3 ft (0.9 m) in diameter and 2 ft (0.6 m) in height, other than rubbish in which the fuel burned is contained in an outdoor fire-place, a barbecue grill, or a barbecue pit for the purpose of preparing food.

## What is allowed:

1. January 15 to May 1 Open burning is allowed **with a permit**, under Mass DEP rules and only of certain types of material. Full description of rules and materials that can and can not be burned are listed on the web site link <https://www.mass.gov/service-details/open-burning-safety>
2. Fire Pits are allowed without permit **but must be used for cooking**, kept to a **reasonable size**, Located away from combustibles, contained in a non-flammable enclosure, tended by someone over the age of 18, Only Clean dry firewood must be used and **not create a nuisance** for neighbors due to smoke.
3. SMALL cooking fires, **NOT Bonfires**, are permitted without permit but must meet safety guidelines. 527 CMR 1.3.3.72 referenced above

*What is a reasonable fires?* The best gauge of if the fire is reasonable and small is can you sit next to the fire with a 2 foot stick to roast a marshmallow? If you cannot sit that close it is too big!!

Away from combustibles including beach grass, buildings, boats, cars and brush/vegetation. Anything that could catch fire!

4. Other activities approved and supervised by the Fire Department

## What is not allowed

1. Burning of trash, pallets or construction debris
2. Commercial brush or tree burning from land clearing
3. Leaves
4. Bonfires without a permit (we almost never issue them)
5. Fire on any property without the owner's permission or Lifeguarded Beaches



References:

Massachusetts Department of Fire Services: <https://www.mass.gov/service-details/open-burning-safety>

MASS. DEP: <https://www.epa.gov/sites/production/files/2017-10/documents/ma-310-cmr-7-07.pdf>

MGL Chapter 48 Section 13: <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter48/Section13>