

Instructions—The issuing agent should:

1. Issue permits to responsible person only.
2. Fill out all parts of permit including: local law or ordinance, name, address, phone, and date issued.
3. Consider all fire hazard conditions known on and adjacent to area to be covered by permit.
4. Issue original permit to applicant and keep copy as needed.
5. Burning of plastic, recyclable¹ paper or cardboard, garbage, asphalt, treated or painted wood, rubber or oily substances, or structures of any kind (barns, sheds, homes, etc.) is illegal.

Informational:

- Open burning could be defined as the burning of any material outdoors including but not limited to a debris pile, burn barrel, prescribed burn, warming or cooking fire, burn pit, bonfires, or other methods as defined by the local municipality.
- Reducing, reusing, recycling and waste composting are strongly encouraged.
Sections 287.07(3) and (4), Wis. Stats., and Ch. NR 544, Wis. Adm. Code, require recycling of plastic, glass, aluminum and metal containers, corrugated cardboard, newspaper, magazines and office paper.
- Permittee must also comply with any local ordinance, which may be more restrictive than state law.

Excerpts from the Wisconsin State Statutes:

- 26.13(1) The chairperson of the town board of each town outside the limits of a forest protection area shall be Town Fire Warden. He/she shall assist and cooperate with the DNR in all matters relating to prevention, detection and suppression of forest fires.
- 26.14(5) Any person who sets a fire or assists in the setting of a fire, including a back fire, on any lands in this state and fails to totally extinguish such fire before leaving it shall forfeit not more than \$100 for the first offense and shall be fined not more than \$500 or imprisoned for not more than 30 days or both for each subsequent offense.
- 26.14(9)(b) Any person who sets a fire on any land and allows such fire to escape and become a forest fire shall be liable for all expenses incurred in the suppression of the fire by the state or town in which the fire occurred. An action under this paragraph shall be commenced within the time provided by [s. 893.91](#) or be barred.
- 287.95(3)(b) After December 31, 1996, any person who violates s. 287.07 (3) and (4) may be required to forfeit \$50 for a first violation, may be required to forfeit \$200 for a 2nd violation and may be required to forfeit not more than \$2,000 for a 3rd or subsequent violation.

¹Recyclable refers to materials which may not be disposed of or burned under the provisions of sections 287.07(3) and (4), Wis. Stats.

This document is intended solely as guidance, and does not contain any mandatory requirements except where requirements found in statute or administrative rule are referenced. This guidance does not establish or affect legal rights or obligations, and is not finally determinative of any of the issues addressed. This guidance does not create any rights enforceable by any party in litigation with the State of Wisconsin or the Department of Natural Resources. Any regulatory decisions made by the Department of Natural Resources in any matter addressed by this guidance will be made by applying the governing statutes and administrative rules to the relevant facts.

BURNING PERMIT

FURNISHED BY:
State of Wisconsin
Department of Natural Resources in
cooperation with local municipalities.

Municipality of _____

County of _____

In case of escaped fire, call **911**

Notice: Under _____, (local law or ordinance) individuals are required to complete this form and obtain a permit for open burning. Personally identifiable information will be used for administering the burning permit program and may also be used for law enforcement purposes.

_____ of _____ (Address)

Is hereby authorized to set fire on land owned or controlled by him/her limited under the following restrictions:

This permit is good from: _____ thru _____; Hours when burning allowed: _____ to _____;

1. Only clean untreated wood, clean "non-recyclable" paper products and vegetation may be burned. Recycling and composting of those materials is strongly encouraged. Burning should be your last alternative.
2. Burning of plastic, recyclable paper, and cardboard, garbage, asphalt, treated or painted wood, rubber or oily substances, or structures of any kind (barns, sheds, homes, etc.) is illegal.
3. Fire must be attended at all times and be totally extinguished before you leave.
4. You must also comply with local ordinances, which may be more restrictive than state law.
5. Open burning of any waste generated by businesses and commercial entities is not allowed under the conditions of this permit.

Additional Restrictions: _____

If your fire gets away, you may be held liable for all expenses incurred in suppression of the fire and may be responsible for all damages caused by the fire.

I understand this permit is invalidated upon violation of any of its restrictions, or upon the burning of material not authorized by this permit, and may be canceled when deemed necessary.

Permittee Signature

Phone Number

Local Official:

Date Issued

Additional Restrictions:

- Special Permits for large quantities, all day permits, permits sought by commercial contractors and broadcast burns exceeding the local maximum size limit, need to be issued by the local official or their designee.
- Don't burn without fire fighting tools such as a shovel, rake and water hose or buckets of water at the site of the burn.
- A non-combustible firebreak of 5 feet should surround the material to be burned.
- Don't burn if the wind is stronger than 8 miles per hour or if the weather forecast indicates the wind will increase during the time you burn.
- Keep the size of your fire small. If you have a larger pile of brush or other materials to burn, consider starting a separate fire and putting the material on a little bit at a time. It may take a little longer, but it is safer.
- Don't ever leave your fire unattended, even for a brief period of time! When you are done burning make sure the fire is completely out before leaving the scene.
- Fire can hold over in roots, stumps or other material and be rekindled at a later time. If that happens, you may be responsible for any costs or damage. Even if you have taken all the necessary precautions, check the site several times a day for several days after burning, just to be sure. There have been instances of fires smoldering for up to a month after they were supposedly put out.
- Be smoke considerate! Think about how your smoke will affect others and know where your smoke will go before you begin burning!

Why is a burning permit required?

Burning permits are required to regulate the open burning of materials during times when a forest fire hazard exists and to provide the local fire suppression organization with a method of determining which fires are authorized and which ones may be a forest fire.

What are the risks of burning?

You may be found guilty of either civil or criminal charges when burning in violation of Wisconsin laws and/or local ordinances. In addition, if your fire escapes and becomes a forest fire, you may be liable for all costs of extinguishing the fire and, in civil action, may be liable for any property damaged or destroyed.

REMEMBER

Only you can prevent wildfires!