



TOWN OF HENRIETTA

Building & Fire Prevention

County of Monroe • State of New York

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GUIDELINES FOR RECREATIONAL & OUTDOOR FIRES

Fire Code of New York State

OPEN BURNING shall be defined as the burning of materials wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber. Open burning does not include road flares, smudge pots and similar devices associated with safety or occupational uses typically considered open flames or recreational fires. For the purpose of this definition, a chamber shall be regarded as enclosed when, during the time combustion occurs, only apertures, ducts, stacks, flues or chimneys necessary to provide combustion air and permit the escape of external gas are open.

BONFIRE shall be defined as an outdoor fire utilized for ceremonial purposes.

RECREATIONAL FIRE shall be defined as an outdoor fire burning materials other than rubbish where the fuel being burned is not contained in an incinerator, outdoor fireplace, barbeque grill or barbeque pit and has a total fuel area of 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height for pleasure, religious, ceremonial, cooking, warmth or similar purposes.

Section F307.1 General. A person shall not kindle or maintain or authorize to be kindled or maintained any open burning unless conducted and approved in accordance with this section.

Section F 307.2 Authorizations. Where required by state or local law or regulations, open burning shall only be permitted with prior approval from the state or local (Monroe County) air and water quality management authority, provided that all conditions specified in the authorization are followed.

Section F 307.3 Prohibited open burning. Open burning that will be offensive or objectionable because of smoke or odor emissions when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited.

Section F 307.4 Locations. The location for open burning shall not be less than 50 feet (15,240 mm) from any structure, and provisions shall be made to prevent the fire from spreading to within 50 feet (15,240 mm) of any structure.

Exceptions:

- (1) Fires in approved containers that are not less than 15 feet (4572 mm) from a structure ;

- (2) The minimum required distance from the structure shall be 25 feet (7620 mm) where the pile size is 3 feet (914mm) or less in diameter and 2 feet (610mm) or less in height.

Section F 307.4.1 Bonfires and Recreational Fires. A bonfire or recreational fire shall not be conducted within 25 feet (7620mm) of a structure or combustible material unless the fire is contained in a barbeque pit. Conditions which could cause a fire to spread within 25 feet (7620mm) of a structure shall be eliminated prior to ignition.

Section F 307.4.2 Attendance. Open burning; bonfires or recreational fires shall be constantly attended until the fire is extinguished. A minimum of one (1) portable fire extinguisher with a 4-rating or approved on-site fire extinguishing equipment, such as dirt, sand, water barrel or garden hose or water truck, shall be available for immediate utilization.

Requests for outdoor recreational fires have become a popular activity and concern within the Town of Henrietta, especially with the recent marketing and sales of portable outdoor fireplaces, made of metal, ceramic and like materials. The Department of Building & Fire Prevention has allowed burning for recreational purposes in the past, consistent with state, county and local codes and laws, using the following guidelines:

- **FIRE SAFETY** must always be followed.
- Recreational fires must be of the same size as in fireplaces (no larger than 3 feet in Diameter; no taller than 2 feet in height), located 25 feet from combustible structures (houses, fences, sheds, Garages, wooden decks, and similar structures) and conducted on non-combustible surfaces.
- Materials for burning must be clean seasoned firewood (wet wood, fresh cut wood, painted or stained wood creates smoky conditions and is not allowed to be burned.)
- Competent adult supervision must be on site while fire is burning. Competent adult supervision is someone over 18 years of age, not impaired by drugs, alcohol or having medical or mental conditions which could impair their ability to take proper actions if required.
- A source of water must be available to control or extinguish any fire (charged garden hose hooked up to a water supply, multiple pails of water or a 4-A fire extinguisher).
- No new materials may be added to the fire after 10pm, fire must be extinguished before abandoning.
- Fire cannot create a nuisance. Smoke and/or odors may be considered a nuisance.
- Outdoor portable fireplaces made of metal, ceramic and like materials and contained with that approved appliance. The approved appliances must follow these same rules and not be placed on any combustible surfaces (decks, porches, tables, etc.) They may not be located less than 15 feet from a combustible structure and must be extinguished before abandoning.

Recreational fires are a **privilege** and allowed for special occasions by the Department of Building & Fire Prevention. A recreational fire, which creates property damage, personal injury or is deemed a nuisance, maybe cause for further legal actions to be taken by the Department of Building & Fire Prevention and / or the Monroe County Sheriff's Office.

Bonfires must be approved by the Department of Building & Fire Prevention and the Monroe County Health Department at least 30 days prior to the event. Bonfire permits normally issued for community type events such as ceremonial events, pep rallies and neighborhood association gatherings.

Any fire causing the Henrietta Fire Department or Sheriff's Office to be called may be considered by the responding official as a nuisance fire. Nuisance fires **shall be extinguished immediately.**

Do not hesitate to contact the Department of Building & Fire Prevention at (585) 359-7060, if you have any questions with this or any other fire safety concerns.

“Fire Prevention through Education and Enforcement “