CARVER FIRE DEPARTMENT

Standard Operating Guidelines

Section 2.03 – Open Burning (Agricultural) **May 9, 2017**

1.0 PURPOSE

The purpose of this guideline is to define rules and regulations for outside burning for agricultural purposes.

1.1 SCOPE

Open burning for agricultural purposes as allowed under Massachusetts 310 CMR 7.07.

1.2 DEFINITIONS

01. Agricultural purposes means those practices involved with the cultivation of soil for purposes of crop production and/or the raising of livestock when such crops are produced for commercial food stocks and such livestock is raised for commercial food stuff or for work purposes.

02. Agricultural operations are those that raise commercial food stuff or livestock and consist of an area larger than one acre of land.

03. Regulation 310 CMR 7.07 (3)(b) specifies that open burning is allowed for activities associated with the normal pursuit of agriculture which have been determined by the DEP as necessary. This includes, but is not limited to, the open burning of blueberry patches for pruning, dead raspberry stocks, fruit tree pruning and affected beehives for disease control.

04. Regulation 310 CMR 7.07 (3)(c) allows open burning of brush and trees resulting from agricultural land clearing operations. These two regulations are the pertinent ones for agricultural considerations.

05. Per DEP, NO Trees/Brush of 4" or greater in diameter shall be allowed to be burned.

06. Per DEP, NO Stumps shall be allowed to be burned.

1.3 AGRICULTURAL BRUSH BURNING PROCEDURE

01. Applicant must get a written permit issued by Fire Dispatch, upon verification by the Fire Chief that the property usage meets the requirement of 310 CMR 7.07.

02. After the written permission is issued, daily permission to burn must be obtained by calling the Fire Station at 866-3440 between 8:30am and 2:00pm. No permission will be granted after 2:00pm on any given day.

03. Fires may be started immediately after daily permission is granted, but the fire must be completely extinguished by 4:00 p.m. on the date of burning.

04. Open burning times and dates for agricultural purposes are at the discretion of the Fire Chief, who will determine on a daily basis whether burning will be allowed that day based on weather conditions and other environmental factors. Unlike residential open burning, agricultural burning is allowed throughout the year.

05. The person setting the fire must have sufficient resources present (such as a garden hose) to control the fire, and the fire shall not be left until it is completely extinguished.

06. The burning must be done without causing a nuisance.

07. The burning of Cranberry vines for the sole purpose of renovating an existing cranberry bog will be evaluated, by the Fire Chief on a case by case basis. Reasons for denial and revocation of a permit could be due to weather conditions, size of area to be burning, possible pollution effects to the environment and potential nuisance issues to abutting residents.

08. Violation of Policy

A. 1st offense
- Verbal warning
- Notify Chief Officer & document in Daily Log

B. 2nd Offense
- Written warning to the party
- Document the written warning in Daily Log
- Revoke permit for period of time as determined by the Fire Chief

C. 3rd Offense
- Permanent revocation of agricultural burning permit
- Court action including a payment of a fine and cost of suppression in accordance with MGL Chapter 48, section 13.