

Are fire pits okay?

The short answer is yes BUT you must keep three things in mind:



- 1) it's in a safe location;
- 2) must not be left unattended;
- 3) must not be offensive or objectionable due to smoke or odor emissions.

Specifically, NYS Fire Code (2015) §Section 307 “Open Burning and Recreational Fires” states:

307.1.1 Prohibited open burning. Opening burning that is offensive or objectionable because of smoke or odor emissions or when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited.

307.2.1 Authorization

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

307.3 Extinguishment Authority

Where open burning creates or adds to a hazardous situation, or a required permit for open burning has not been obtained, the *fire code official* is authorized to order the extinguishment of the open burning operation.

307.4 Location. The location for open burning shall not be less than 50 feet from any structure, and provisions shall be made to prevent the fire from spreading to within 50 feet 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 a structure shall be 25 feet (7620 mm) where the pile size is 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height.*

307.4.1 Bonfires. A bonfire shall not be conducted within 50 feet (15 240 mm) of a structure or combustible material unless the fire is contained in a barbecue pit. Conditions that could cause a fire to spread within 50 feet (15 240 mm) of a structure shall be eliminated prior to ignition.

307.4.2 Recreational fires. Recreational fires shall not be conducted within 25 feet (7620 mm) of a structure or combustible material. Conditions that could cause a fire to spread within 25 feet (7620 mm) of a structure shall be eliminated prior to ignition.

307.4.3 Portable Outdoor Fireplaces

Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet (3048 mm) of a structure or combustible material.

Exception: [Portable outdoor fireplaces](#) used at one-and two-family [dwellings](#).

307.5 Attendance. [Open burning](#), [bonfires](#), [recreational fires](#) and use of [portable outdoor fireplaces](#) shall be constantly attended until the fire is extinguished. A minimum of one portable fire extinguisher complying with [Section 906](#) with a minimum 4-A rating or other *approved on-site* fire-extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.