This document does not cover open burning such as bonfires, or agricultural burning that require contacting the New Jersey Forest Fire Service.

Open burning defined: wherein products of combustion are emitted directly into the ambient air without passing through an approved stack or chimney from an enclosed chamber. 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 exhaust gas are open.

Prohibited open burning (N.J.S.A. 5:70-3,307.1.1): Open burning that is offensive or objectionable because of smoke emissions or when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited. In addition, any fire which has potential to cause a wildfire is prohibited by this subchapter, without first obtaining a permit from the State Forest Fire Service in the New Jersey Department of Environmental Protection.

Allowable burning (N.J.S.A. 5:70-3,307.2) Open burning shall be allowed without prior notification to the fire official for recreational cooking fires, highway safety flares, smudge pots and similar occupational needs.

Hopatcong Municipal Ordinance 167-25(C) states: A person shall not kindle or maintain any bonfire, or other outdoor fire or authorize any fire to be kindled or maintained unless: 1) The location is approved by the Borough Fire Official (Fire Marshal) and not less than 50 feet from any structure, and adequate provision is made to prevent fire from spreading to with 50 feet of any structure, or (2) the fire is contained in an approved burner located safely not less than 15 feet from any structure. All conditions which could cause a fire to spread shall be eliminated prior to ignition.

Fuel: Only seasoned dry hardwoods may be burned. No garbage, leaves, construction debris, trash, rubbish, plastic, leather or petroleum based materials are permitted to be burned. The fire shall be kindled with only a small amount of newspaper. The allowable quantity of wood to be burned shall be determined by the Borough Fire Official and shall be based upon the fire safety requirements of the situation and the desirable duration of burn.

Attendance: Open burning and recreational fires shall be constantly attended by a competent person until the fire is extinguished. A minimum 2A:10BC fire extinguisher or other approved fire extinguishing equipment such as dirt, sand, water barrel, garden hose or water truck are required on site.

Extinguishment authority: The Borough Fire Marshal may prohibit any or all fires that are, or could be offensive or objectionable due to smoke or odor emissions, atmospheric conditions or local circumstances that make such fires or their embers hazardous. The Fire Official, law enforcement or the Fire Department shall order such fires extinguished.

Neighbor vs. neighbor complaints should be filed with the Sussex County Health Department, the Borough Community Dispute Resolution Committee or Municipal Court.

IF A FIRE IS DEEMED OBJECTIONABLE, IT SHALL BE ORDERED EXTINGUISHED.

Remember, YOU are responsible and liable for the fire, and the consequences of your actions. Never start a fire when the fire danger is high, very high or extreme as determined by the New Jersey Forest Fire Service.