



STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
MAINE FOREST SERVICE
22 STATE HOUSE STATION
AUGUSTA, MAINE 04333

PAUL R. LEPAGE
GOVERNOR

WALTER E. WHITCOMB
COMMISSIONER

Dear Municipal Official

Pursuant to 12 M.R.S. §§ 8003(K) and 9321, the Director of the Maine Forest Service (MFS) is responsible for the issuance and enforcement of burning permits statewide. The Director may delegate his authority to issue permits to Town Forest Fire Wardens and their Deputies. 12 M.R.S. § 9321(3). That delegation of authority occurs with paper permits; the MFS provides paper permits to towns across the state, who in turn issue permits to their residents.

Each year more than 100,000 burn permits are issued in Maine. To make it more convenient for property owners to obtain a permit, the Legislature authorized the MFS Director to develop an online system through which property owners could obtain a burn permit for a \$7.00 fee. 12 M.R.S. § 9326. That \$7.00 fee is apportioned between the General Fund, the municipality, and MFS to offset some of the administrative cost of operating the online service. That system is accessible at <https://www.maine.gov/burnpermit/>

The Legislature has not authorized anyone other than the MFS Director to develop an online burn permit system. Over the last few years several private online fire permit systems, such as WardensReport.com and BurningPermit.com, have been developed and are used by several towns in Maine. Some of these private systems are provided to towns as a for profit venture, while others have been developed and used within an individual town.

None of these systems were developed or authorized by the MFS Director and, consequently, none of the burn permits obtained from these online sites are valid burn permits. Any resident burning without a valid permit issued or authorized by the MFS is committing a Class E crime and is subject to an enforcement action. 12 M.R.S. §9321(6).

Again, the Department does not recognize the validity of these private online systems nor does it consider valid any permit issued by a private online system. We request that your community immediately discontinue its use of these systems.

Respectfully,

Walter E. Whitcomb
Commissioner

Doug Denico
Director, MFS

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