

TITLE 17: CONSERVATION  
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES  
SUBCHAPTER d: FORESTRY

PART 1560  
FOREST FIRE PROTECTION DISTRICTS ACT

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AUTHORITY: Implementing and authorized by the Forest Fire Protection District Act [425 ILCS 40].

SOURCE: Adopted at 13 Ill. Reg. 10577, effective June 16, 1989; amended at 13 Ill. Reg. 17376, effective October 30, 1989; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389.

**Section 1560.10 Definitions**

"Burning Permit Writer" means any individual appointed by the Director and certified by the Chief of the Division of Forest Resources to issue burning permits.

"Department" means the Department of Natural Resources.

"Director" means the Director of the Department of Natural Resources.

"District" means a geographic area determined by the Director to be in need of special protection from forest fires and designated as an intensive forest fire prevention district in accordance with this Act.

"Fire Danger" means the daily rating of severity of the potential for wildfire as designated by the National Fire Danger Rating System, as contained in the National Fire Protection Association Standard #295 entitled "Wildfire Control," 1985. (This standard does not include any later amendments or editions).

"Forest Fires" means uncontrolled, wild or running fires occurring on forest, marsh, field, cutover or other lands.

"Regional Administrator" means the Regional Administrators of the Division of Forest Resources of the Department of Natural Resources.

"The Act" means the Forest Fire Protection District Act [425 ILCS 40]..

**Section 1560.20 Intent of Forest Fire Protection Districts Act**

Nothing in this Act relieves the owners or lessees of lands upon which fires may burn or be started from the duty of extinguishing such fires so far as it may be within their power. This Act provides for the creation of intensive forest fire prevention districts to regulate the burning of combustible materials during certain periods of the year when the potential for forest fires is highest, and provides for penalties for violation.

(Source: Amended at 13 Ill. Reg. 17376, effective October 30, 1989)

**Section 1560.30 Creation of Districts**

- a) Public recommendations for the creation of a District shall be submitted in any manner to the Division of Forest Resources for the Director.
- b) All landowners within a created District shall be contacted by an agent of the Department of Natural Resources personally or by newspaper publication or by mail and shall be informed of the creation of the District and the intent and provisions of the Act.

(Source: Amended at 13 Ill. Reg. 17376, effective October 30, 1989)

**Section 1560.40 Proclamation Prohibiting Fires**

- a) A proclamation, issued by the Director, prohibiting a fire without first obtaining a burning permit within a District shall be effective in Illinois for the period of the proclamation and shall be determined by the chief of the Division of Forest Resources who will use the National Fire Danger Rating System as criteria for the determination.
- b) Such proclamation shall be published by the Department of Natural Resources in one or more newspapers having a general circulation within the District prior to or upon the date the proclamation becomes effective.

- c) A proclamation has been issued for the following counties: Jackson, Pope, Hardin, Johnson, Union, Alexander, and Pulaski to cover the peak fire hazard months of February, March, April, October and November.

**Section 1560.50 Administration of Act**

The Division of Forest Resources in the Department is responsible for the administration of this Act.

**Section 1560.60 Issuance of Burning Permit**

- a) The Director of the Department may appoint burning permit writers.
- b) Burning Permit Writers must be certified (Form F-20) by the Chief, Division of Forest Resources, who will assign the Burning Permit Writer to a District.
- c) Burning Permits can only be issued by a duly authorized Burning Permit Writer.
- d) A permit to kindle a fire in the open air outside the limits of any city, village or incorporated town within a District will be issued only on the official Burning Permit form as supplied by the Department.
- e) The Regional Administrator in whose Region the District is located is responsible for all training, supplies, maps, forms and any other provisions needed by the Burning Permit Writer in the performance of their assigned duties.
- f) The Burning Permit can only be issued for 3-5 days depending upon the anticipated fire dangers for the length of the Permit.
- g) The Burning Permit must be completed by the Burning Permit Writer and signed by the Writer and the person to whom the permit is issued.
- h) The Burning Permit must include the person's name and address, the legal location of the property on which the burn is to take place, the material and amount to be burned, the hours when burning will be permitted and the dates of the burning.
- i) The Burning Permit must be completed in triplicate. The white copy is to be given to the person to whom the Permit is issued; the green copy will be sent to the Goreville District Forestry Office, Post Office Box 67, Goreville, Illinois 62939; the yellow copy will be retained by the Burning Permit Writer.

- j) If the Fire Danger Rating reaches very high or extreme classification within a District, the Director, upon notification of such a fire danger by the Chief of the Division of Forest Resources shall suspend the issuance of burning permits or proclaim a closure on all burning within the district or a portion thereof until such time as burning conditions fall below the very high designation.
- k) The Regional Administrator in whose Region the issuance of burning permits is suspended or closure is imposed is responsible for posting such a notice in public places within the District, notifying all Burning Permit Writers in the District and notifying the Administrator of the Shawnee National Forest if the affected District is within the Shawnee National Forest Protection Area.

#### **Section 1560.70 Enforcement of Act**

Any law enforcement officer within the State of Illinois has the duty to issue a citation to persons violating any provision of the Act and this Part and to cooperate with the Department in the enforcement of same.

#### **Section 1560.80 Violation of Act**

- a) Any person who kindles or authorizes any other person to kindle a fire in the open air outside the limits of any city, village or incorporated town within an intensive fire protection district during the months of February, March, April, October and November or during such other times when fire hazard conditions are declared to exist by order of the Director in accordance with this Act, without first obtaining a burning permit issued by a forest fire warden for the District in which such burning shall take place, or does not strictly comply with the terms of the permits, commits a Class B misdemeanor.
- b) Subsection (a) does not apply to land owned or controlled by a railroad corporation when the fire is for the purpose of clearing its right of way of dangerous combustible materials or for the kindling of a fire in a plowed field, garden or public highway when such fire is kindled at a distance of 200 feet or more from any woodland, brush land or field containing dry grass or other combustible material.
- c) Any person who kindles or authorizes any other person to kindle any woods, brush, grass, grain, weeds or stubble within an intensive fire protection district without first having obtained a burning permit issued by a forest fire warden for the District in which such burning shall take place at any time period for which the Director has issued a proclamation declaring such burning unlawful shall, upon conviction, be fined not to exceed \$1,000 or be imprisoned in a

penal institution other than the penitentiary not exceeding 6 months, or both.

**Section 1560.90 Correspondence and Inquiries Regarding This Act**

All correspondence and/or inquiries regarding this Act shall be directed to:

State of Illinois  
Department of Natural Resources  
Division of Forest Resources  
524 South Second Street  
Springfield, Illinois 62701-1787

ATTENTION: Forest Protection Program