

# Montana Code Annotated 2023

TITLE 76. LAND RESOURCES AND USE

CHAPTER 13. TIMBER RESOURCES

Part 1. Protection of Forest Resources

## Permit for Burning Required

**76-13-121. Permit for burning required.** (1) During the wildfire season or an expansion of the wildfire season, a person may not ignite or set a fire, including a slash-burning fire, land-clearing fire, debris-burning fire, or, except as provided in subsection (2), an open fire without an official written permit to ignite or set the fire from the recognized agency for that protection area.

(2) (a) If no restrictions are in place, a permit is not needed for recreational fires measuring less than 48 inches in diameter that are surrounded by a nonflammable area or structure and for which a suitable source of extinguishing the fire is available.

(b) A recreational fire may not be ignited if special restrictions prohibiting recreational fires have been established by an authority having jurisdiction.

**PLEASE CONTACT THE SHERIFFS  
DEPARTMENT AT  
(406)-859-3251  
FOR A PERMIT BEFORE BURNING**