

# OPEN BURN LAW

## **A Guide to Open Air Burning in Stafford County, Virginia**



### **NOTIFICATION REQUIRED**

**Open burning may only take place after those wishing to burn have first notified the Emergency Communications Center at (540) 658-4440.**

## **INTENT**

Stafford County, in an effort to achieve and maintain such levels of air quality as to protect human health, welfare and safety of its residents, has regulated open burning.

## **THE “4:00 PM” BURN LAW**

During the period between February 15th and ending April 30th of each year, open burning may only take place between the hours of 4:00 PM and 12:00 midnight.

## **PERMIT REQUIREMENT**

A permit is required for open burning for the purpose of land or site clearing operations. This permit may be obtained from the Fire and Rescue Department. No permits will be issued between May 1st and September 30th (see below). Open burning for the purpose of land clearing operations for such things as constructing roads and highways, buildings and building areas, parking areas, and power and communication lines are prohibited in the Northern Virginia Volatile Organic Compounds Emissions Control Area during the months of May, June, July, August and September. This area encompasses northern Virginia localities, including the County of Stafford (see 9 VAC 5-40-5630 and 9 VAC 5-20-206).

## **PROHIBITED OPEN BURNING**

The burning of garbage, refuse, trash, rubbish and other forms of liquid or solid waste is prohibited at all times.

## **RESIDENTIAL BURNING**

The burning of wood, brush, grass trimmings or leaves is permitted in all areas of the County, provided the following conditions are met:

1. The fire must be a minimum of **50 feet** from any structure and be **300 feet** from any occupied dwelling. If you wish to burn within 300 feet of an occupied dwelling you **MUST** have written permission from those who occupy those dwellings; **AND**
2. You **MUST** constantly attend the fire at all times; **AND**
3. Burning **MUST** be conducted in such a fashion as to minimize any nuisance to neighbors.

## **OPEN BURNING FOR LAND AND SITE CLEARING**

Open burning for land and site clearing operations resulting from commercial, industrial, or residential development is prohibited in all areas of the County designated as R-1, R-2, R-3, R-4, PD-1 and PD-2 on the County's zoning maps.

Open burning for these purposes is permitted in all other areas of the County, provided certain conditions are complied with, as required by the Fire Marshal's Office

## **RECREATIONAL FIRES**

Bonfires and campfires are permitted if the fuel consists only of seasoned dry hardwood, ignited with a small quantity of paper. Fires will be no more than 5 feet by 5 feet in dimension and will not burn more than 3 hours at any one time. At no time shall bonfires or campfires be used for waste disposal purposes.

**Violation of these regulations is a misdemeanor,  
punishable by a fine of up to \$2500 and possible jail time.**

## **HELPFUL HINTS FOR LEAF BURNING**

- Burn only dry leaves. Wet leaves produce unnecessary smoke generation.
- Burn only small piles no more than 3 feet wide and 2 feet tall. Large, long piles do not completely burn.
- Never use gas, lighter fluid or any other fuel to kindle or rekindle a fire. If the leaves need fuel to burn, they are too wet to burn and may create potential for injury.
- Start the fire in your leaf pile against the wind. This will allow the fire to burn slower and burn deeper into the leaf pile.
- Keep small children away from the fire and out of the smoke.
- Keep a garden hose handy in case of sudden, uncontrolled fire spread.

## **DEFINITIONS**

### **Bonfire**

An outdoor fire used for ceremonial purposes.

### **Site and Land Clearing**

The process of clearing land of trees, brush and other debris for the purpose of making way for streets, roads and/or buildings.

### **Garbage**

Animal and vegetable matter such as that originating in houses, kitchens, restaurants and hotels or produce markets which is accumulated in the course of ordinary day-to-day living.

### **Recreational Burning**

An outdoor fire which is used to cook food for human consumption, such as camp fires, warming fire and bonfires.

### **Refuse**

Trash, rubbish, garbage and other forms of solid or liquid waste, including but not limited to wastes resulting from residential, agricultural, commercial, industrial, institutional trade, construction, land clearing, forest management and emergency operations.

For further information on Stafford County Open Burn Laws, please contact the Fire Marshal's Office at (540) 658-7200 Monday through Friday 8:00 AM to 4:30 PM

*Find us on the web at [www.staffordfirerescue.com](http://www.staffordfirerescue.com)*