

## BONFIRE PERMIT REQUIRED

A Bonfire Permit shall be issued to the owner of the land upon which the bonfire will be kindled. Fire is utilized for ceremonial purposes only. Size shall not exceed 5' x 5' x 5'. The duration of the fire shall not exceed three (3) hours. The permit is valid for the date or dates specified only.

## KEY DEFINITIONS

- Bonfire: an outdoor fire used for ceremonial purposes.
- Open Burning: the burning of any matter in such a manner that the products resulting from combustion are emitted directly into the atmosphere without passing through a stack, duct, or chimney.
- Debris wastes: wastes resulting from land clearing operations. Debris wastes include but are not limited to stumps, wood, brush, leaves, soil and road spoils.
- Household waste. The term "household waste" means any waste material, including garbage, trash and refuse derived from households.

For additional definitions, please refer to the entire Albemarle County Code available online at [www.albemarle.org/countyattorney](http://www.albemarle.org/countyattorney)



## ADDITIONAL INFORMATION

The information in this pamphlet is provided as a courtesy and is for general reference only.

Please refer to the entire *Albemarle County Code* and/or the *Code of Virginia* for complete guidelines, rules, regulations, laws, and ordinances.

For more information  
[www.ACFireRescue.org](http://www.ACFireRescue.org)  
[prevention@ACFireRescue.org](mailto:prevention@ACFireRescue.org)  
434.296.5833

**ALBEMARLE COUNTY**  
**FIRE RESCUE**  
FIRE PREVENTION & LIFE SAFETY DIVISION

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# BURN LAWS

*A guide to open air burning  
in Albemarle County*



**FIRE RESCUE**  
**ALBEMARLE COUNTY**



# BURN LAWS

## INTENT

The County of Albemarle, 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 air burning within the County.

The entire text of the applicable burn laws can be obtained by visiting [www.ACFireRescue.org](http://www.ACFireRescue.org) or calling 434.296.5833.

## The 4:00 PM BURN LAW

During the period beginning 15 February and ending 30 April of each year, open burning may only take place between the hours of 4:00 PM and 12:00 AM (midnight), unless you are burning a distance of 300 feet or greater from woodland, brushland, or other material capable of spreading fire.



## REQUIRED PRECAUTIONS

It shall be unlawful for anyone to set fire or procure another to set fire to any woods, brush, logs, leaves, grass, debris, or other flammable material without first taking reasonable care and precaution, by having cut and piled the same or carefully cleared around the pile to prevent the spread of such fire to another's land.

## PROHIBITED OPEN BURNING

- The burning of garbage, household waste, tires, refuse, demolition waste, construction waste, impregnated woods, hazardous waste and plastics shall be prohibited at all times.
- Any burning shall be prohibited within 300 feet of any occupied building without first obtaining permission from the occupant. This distance shall be increased to 500 feet for contractors who desire to burn.

## BURN PERMIT REQUIRED

A permit is required from the Department of Fire Rescue for the burning of land clearing debris such as brush, stumps, trees, and other clean wood to be burned at the site at which it is generated. This would include debris waste generated from the development of property and from burning unwanted, leaning, or dead trees regardless of size. The duration of this permit is for sixty (60) days per location. A fee of \$500.00 is required (§ 301.2).

**Note:** A permit is not required for the burning of vegetation that is removed from trees, shrubs, or garden plants. This would also include twigs and branches that fall or are removed from trees (§ 301.2).

## GUIDELINES FOR OPEN BURNING

- Fire must be attended at all times.
- Adequate means of extinguishment must be on-site at all times.
- Must maintain a minimum of 50 feet clearance around pile at all times.
- The location for any open burning shall not be less than 50 feet from any structure, and provisions shall be made to prevent the fire from spreading to within 50 feet of any structure.
- Burning shall be a minimum of 300' from any occupied building unless permission is obtained from the occupant.
- No flammable/combustible liquids or solids shall be placed in the fire.
- Fires in approved containers shall be permitted, provided that such fires are not less than 15 feet from any structure.
- Must comply with all applicable Federal, State, and Local laws, rules, regulations, codes, and ordinances.



## CERTIFIED OPEN BURN PROGRAM

The Certified Open Burn Program consists of attending an informational session regarding safe open-air burn precautions to review Albemarle County's rules & regulations concerning open burning. This class is offered to county property owners and/or their employees. Upon attending this session, a certification card will be issued to the attendee and any fee for a burn permit would then be waived. The duration of this permit is for one year.

**Note:** This permit is not available to contractors.