

# LOUDOUN COUNTY FIRE MARSHAL'S OFFICE

## FREQUENTLY ASKED QUESTIONS

### OPEN BURNING REGULATIONS & 4 P.M. BURNING LAWS

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**February 15th** through **midnight April 30th** open air fires are prohibited between 2400 and 1600 hours (§10.1-1142, Code of Virginia and Section 307.1 of the Loudoun County Fire Prevention Code).

Open air fires for leaves and tree, brush, yard and garden trimmings generated onsite are allowed between 1600 and 2400 hours, **except** in the town limits of Leesburg, Lovettsville, Middleburg, Purcellville, Round Hill, and subdivisions (urban or built up areas) throughout the county.

Legally set open air fires are subject to all local regulations. Specifically:

- Fires must be 50 feet from a structure and pose no hazards to a roadway
- Fires must be reported to the ECC at 703-777-0333 before ignition and when the fire is out.
- Fires shall be attended by competent persons 18 yrs. of age or older, at all times, with provisions for control and extinguishment available.
- Fires must not be added to after 2400 hours.
- If at any time the fire is not attended and/or a means of extinguishment not immediately available, it must be fully extinguished.
- Legally set fires are allowed to smolder between 2400 and 1600 hours provided they are appropriately attended with means for extinguishment, and no additional fuel load is added during this timeframe.

#### **Prohibited Open Burning**

- On a year round basis, open burning is always prohibited in the town limits of Leesburg, Lovettsville, Middleburg, Purcellville, Round Hill, and subdivisions (urban or built up areas) throughout the county
- Similarly, **open burning is prohibited Countywide (towns included) during the period of May 1<sup>st</sup> through September 30<sup>th</sup>**. Campfires, no larger than 3 feet in diameter by 2 feet in height and used for cooking purposes are exempt from these prohibitions, provided they are no closer than 50 feet from a structure.

- The burning of construction debris, plastics, tires, tar based materials, oil or petroleum based products, hazardous materials, chemicals, animal carcasses and similar materials or waste is prohibited Countywide (towns included).

**Open Burning is permitted:**

- When not otherwise prohibited as outlined above.
- Unless prohibited above, the burning of leaves and tree, brush, yard and garden trimmings, generated on site, is allowed. The burning may be no closer than 50 feet from a structure.
- For agricultural purposes, such as clearing a field or fence row, for materials generated on site. The burning may be no closer than 1,000 feet from an occupied structure and may not pose a hazard to highways and airfields.
- For bonfires, provided that they consist of seasoned wood, piled neatly, no more than 5 feet in diameter by 5 feet in height. The burning may be no closer than 50 feet from a structure, and is allowed only during open burning periods.
- Portable fire pits and chimneas are allowed and are not considered open burring if operated within the manufacturer’s specifications.

**Development Related Burning:**

- All land clearing (pit burn) operations by contractors or land owners for development purposes shall be approved by the Fire Marshal’s Office. Such burning of trees, stumps and brush will likely require a permit from the Fire Marshal’s Office and the State Air Pollution Control Board.
- Warming barrels at a construction site shall be approved by the Fire Marshal’s Office. As approved, burning must be of clean lumber, done in a barrel or similar container that is screened or covered to prevent flying embers and may be no closer than 15 feet from a structure.

All such open burning must be reported to the Fire-Rescue Emergency Communications Center 703-777-0333 prior to ignition and when the fire is out. Fires may not be added to after midnight. All fires must be actively attended, with means to control and/or extinguish the fire.

**Fire Marshal Disclaimer:** The Loudoun County Fire Marshal may impose regulations, at any time, based upon complaint, atmospheric or other environmental circumstances, to restrict or extinguish any fire that is otherwise permitted according to these guidelines.

**Violations and Penalty:** Violations of the requirements on open burning may result in a conviction as a Class 1 Misdemeanor (confinement in jail for not more than Twelve months and a fine of not more than \$2,500, either or both). In addition, the responsible party may be held liable for all damages and the costs of firefighting operations.

Questions can be directed to the Fire Marshal’s Office at 703-737-8600 during normal business hrs.