



A publication of Fairfax County, Virginia



CODE COMPLIANCE GUIDELINE

BONFIRES

**** PERMIT REQUIRED ****

**Office of the Fire Marshal
Fire Inspections Branch**

10700 Page Avenue
Fairfax, Virginia 22030
Telephone: 703-246-4849
Fax: 703-246-6042
TTY: 711 or 1-800-828-1120

This publication outlines the Fire Prevention Code fire safety requirements and prohibitions as well as permit application and inspection scheduling information related to bonfires conducted within Fairfax County and the towns of Clifton, Herndon, and Vienna. This publication does not address recreational fires, controlled burning, charcoal grills and open-flame cooking devices, or portable outdoor fireplaces.

***** PLEASE REVIEW THIS ENTIRE PUBLICATION BEFORE TAKING ACTION *****

Questions regarding the content of this publication should be directed to the Fire Inspections Branch at 703-246-4849 during regular office hours, Monday thru Friday, 8:00 a.m. to 4:30 p.m.

OVERVIEW

A bonfire is a constantly attended outdoor fire utilized primarily for ceremonial purposes that has a fuel area greater than 3 feet in diameter and greater than 2 feet in height. The size of the bonfire (i.e., quantity of fuel or fuel area) may be limited at the discretion of the Fire Marshal. A bonfire is a form of open burning and requires a Fire Prevention Code (FPCP).

OPEN BURNING DEFINED. The Fire Prevention Code defines "open burning" as the burning of materials wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber. Open burning does not include road flares, smudgepots and similar devices associated with safety or occupational uses typically considered open flames, recreational fires or use of portable outdoor fireplaces. For the purpose of this definition, a chamber shall be regarded as enclosed when, during the time combustion occurs, only apertures, ducts, stacks, flues or chimneys necessary to provide combustion air and permit the escape of exhaust gas are open.

PERMIT REQUIRED

In accordance with Section 307.2 of the Fire Prevention Code (as amended by Fairfax County), if under the requirements of the County of Fairfax Air Pollution Control Chapter (Chapter 103, Fairfax County Code) open burning is allowed, a Fire Prevention Code Permit (FPCP) for a bonfire shall be obtained from the Fire Marshal for each location. A permit may be valid for up to 10 days for a single location and may be renewed upon application to the Fire Marshal. This permit requirement does not apply to recreational fires, fire set for the training of firefighters under the direction of the Chief of the Fire Department, or fire set by a public health or safety officer where a health or fire hazard cannot be abated by any other means.

PERMIT APPLICATION. Complete an FPCP application for a bonfire and include the documentation or information listed below. The permit (FPCP) application is available online at:

www.fairfaxcounty.gov/fr/prevention/fmpublications/frd_069.pdf

The following documentation or information must be submitted with the FPCP application:

1. **Property Owner Consent.** A letter from the owner of the property granting the applicant permission to kindle a bonfire on said property must accompany the FPCP application. A bonfire shall be prohibited on the property of another without the express written permission of the property owner.
2. **Site Plan.** A plat or site plan of the property shall be provided with the FPCP application and shall show the following information:
 - Proposed location of the bonfire.
 - Location of all utilities such as gas meters and overhead power lines.
 - Location of all structures and woodlands within 150 feet of the burn location.
 - Location of the two closest fire hydrants and all fire department access routes.

SITE INSPECTION & APPROVAL REQUIRED

Ready to Burn? When the bonfire is ready to commence, you must first arrange for a site inspection with the Fire Marshal. Burning may not commence until a valid FPCP for a bonfire has been issued. Follow these steps:

1. **Schedule a Site Inspection.** The site inspection must be conducted no later than 4:00 p.m. on the day of the bonfire event, and must be scheduled at least one business day prior to the day of the bonfire. To schedule the site inspection, contact the Fire Inspections Branch at 703-246-4849 (ext "0"), Monday-Friday, 8:00 a.m.- 4:30 p.m.
2. **Notify DPSC.** Notification is a condition of the permit and may help reduce unnecessary emergency responses by the fire department. Thirty (30) minutes prior to the start of a bonfire, and only after approval has been granted by the Fire Marshal in the form of a valid permit (FPCP), contact the Fairfax County Department of Public Safety Communications (DPSC) at 703-691-2131 and provide/obtain the following information:
 - Provide the address/location of the bonfire and the permit (FPCP) number.
 - Provide the approximate duration of the bonfire (3 hours maximum).
 - Obtain the event number for the notification and record it on your permit.
 - Advise DPSC that you will call at the conclusion of the bonfire event confirming that all burning activities have stopped.
3. **Post-Burn Requirements.** At the conclusion of the bonfire event, be sure the fire is completely extinguished and notify DPSC at 703-691-2131 that burning has stopped.

Spot Inspections. Periodic spot inspections may be conducted by the Fire Marshal and/or the fire department to ensure compliance with fire safety requirements.

FIRE SAFETY REQUIREMENTS

In addition to the general prohibitions and forestry-related requirements and prohibitions listed below, the following fire safety requirements apply to bonfires conducted in Fairfax County and the towns of Clifton, Herndon, and Vienna:

1. **Property Owner Permission.** Bonfires may only be conducted with the property owner's permission. No person shall kindle nor authorize to be kindled nor maintain any bonfire in such a manner that will endanger the property of another.
2. **Distance from Combustibles.** Bonfires shall not be conducted within 50 feet of a structure or combustible material. Conditions which could cause a fire to spread within 50 feet of a structure shall be eliminated prior to ignition.
3. **Fuel Area Limitation.** A bonfire should not have a total fuel area greater than 5' x 5' x 5'.
4. **Allowable Fuels. Allowable Fuels.** Burn only dry, well-seasoned firewood or similar clean burning wood. Land-clearing waste and/or refuse shall not be used as a fuel for a bonfire.
5. **Time Limitation.** A bonfire should not burn longer than 3 hours.
6. **Attendance.** Fires shall be constantly attended until completely extinguished. A smoldering fire is not completely extinguished and should never be left unattended.
7. **Means of Extinguishment.** A minimum of one portable fire extinguisher with a minimum 4-A rating or other approved on-site fire-extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.

GENERAL PROHIBITIONS

Endangering Property Prohibited. In accordance with Section 307.5.1 of the Fire Prevention Code (as amended by Fairfax County), no person shall kindle, authorize to be kindled, or maintain any permitted (i.e., allowable) fire in such a manner that will endanger the property of another. This might include an unlawful or unsafe bonfire.

Prohibited Open Burning. In accordance with Section 307.1 of the Fire Prevention Code, a person shall not kindle or maintain or authorize to be kindled or maintained any open burning (i.e., controlled burning and bonfires) unless first approved by the Fire Marshal and conducted in accordance with the Fire Prevention Code. In addition, open burning that is offensive or objectionable because of smoke emissions or when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited.

Burning of Refuse Prohibited. With the exception of the destruction and reduction of land-clearing waste through an approved controlled burning operation, the burning of refuse shall be prohibited. The definition of refuse originates from Fairfax County air pollution control regulations (Chapter 103, Fairfax County Code) and shall mean and include garbage, rubbish, and trade waste defined as follows:

- **Garbage.** Garbage shall mean animal and vegetable matter such as that originating in houses, kitchens, restaurants and hotels, produce markets, food service or processing establishments, greenhouses, and hospitals, clinics or veterinary facilities.
- **Rubbish.** Rubbish shall mean solids not considered to be highly flammable or explosive such as, but not limited to, rags, old clothes, leather, rubber, carpets, wood, excelsior, paper, ashes, tree branches, yard trimmings, furniture, metal food containers, glass, crockery, masonry, and other similar materials.
- **Trade Waste.** Trade waste shall mean all solid or liquid material resulting from construction, building operations, or the prosecution of any business, trade or industry such as, but not limited to, plastic products, cinders and other forms of solid or liquid waste materials.

For information about the environmental and health hazards related to burning refuse, including backyard and barrel burning, visit the Environmental Protection Agency (EPA) online at:

www.epa.gov/osw/nonhaz/municipal/backyard/index.htm

Ignitable Liquids or Hazardous Materials Prohibited. Combustible and flammable liquids, as well as other hazardous materials, shall not be used to aid the ignition of any open burning or recreational fire. Furthermore, the application, dispensing, or use of a combustible or flammable liquid, or any other hazardous material, upon or into the fuel used in any controlled burn, bonfire, or recreational fire may be considered an unauthorized release of a hazardous material and is strictly prohibited.

Materials Producing Dense Smoke Prohibited. The burning of rubber, asphaltic materials, combustible and flammable liquids, impregnated wood or similar materials which produce dense smoke is considered objectionable, a hazard and nuisance to the community, and is prohibited.

Hazardous Fires Prohibited. The Fire Marshal or fire department may order the immediate extinguishment of any open burning or recreational fire because of one or more of the following hazardous situations:

- Unattended fires
- Unprotected or uncontained fires deemed capable of spreading
- Inadequate fire extinguishing equipment/materials
- Combustible exposure hazards
- Inappropriate or hazardous materials used as fuel
- Air contaminants, smoke, or other materials which may cause a traffic hazard

FORESTRY-RELATED REQUIREMENTS & PROHIBITIONS

4 P.M. Burn Law. During the period February 15 through April 30 of each year (Spring Wildfire Season), it shall be unlawful, in any county or city or portion thereof organized for forest fire control under the direction of the State Forester, for any person to set fire to, or to procure another to set fire to, any brush, leaves, grass, debris or field containing dry grass or other inflammable material capable of spreading fire, located in or within 300 feet of any woodland, brushland, or field containing dry grass or other inflammable material, except between the hours of 4:00 p.m. and midnight. During spring wildfire season, you are allowed to burn between 4 p.m. and midnight as long as you take proper care and precaution and attend your fire at all times. (Code of Virginia, §10.1-1142-B)

Questions about the *4 P.M. Burn Law*?

Visit the Virginia Department of Forestry (VDOF) online at:

www.dof.virginia.gov/info/faqs-burning.htm

Governor's Burn Ban. Upon proclamation of the Governor of Virginia, it shall be unlawful for any persons to do any open burning nearer than 300 feet from any forestlands, brushlands or fields in the Commonwealth of Virginia containing dry grass or other flammable material when such locations, or any parts thereof, have become so dry as to create a serious fire hazard endangering lives and property. Furthermore, it shall be unlawful for any person to smoke, burn leaves, grass, brush or debris of any type or to ignite or maintain any open fire nearer than 300

feet from any forestlands, brushlands or fields containing inflammable vegetation or marshland adjoining such forestlands, brushlands, fields or idle or abandoned lands, when such locations, or any parts thereof, have become so dry as to create an extraordinary fire hazard.

(Code of Virginia, §10.1-1158 & 1159)

Precautions against Spread of Fire. It shall be unlawful for any owner or lessee of land to set fire to, or to procure another to set fire to, any woods, brush, logs, leaves, grass, debris, or other inflammable material upon such land unless he previously has taken all reasonable care and precaution, by having cut and piled the same or carefully cleared around the same, to prevent the spread of such fire to lands other than those owned or leased by him. It shall also be unlawful for any employee of any such owner or lessee of land to set fire to or to procure another to set fire to any woods, brush, logs, leaves, grass, debris, or other inflammable material, upon such land unless he has taken similar precautions to prevent the spread of such fire to any other land. (Code of Virginia, 10.1-1142-A)

Extinguishment of Open-Air Fires. Any person who builds a fire in the open air, or uses a fire built by another in the open air, within 150 feet of any woodland, brushland or field containing dry grass or other inflammable material, shall totally extinguish the fire before leaving the area and shall not leave the fire unattended. (Code of Virginia, 10.1-1142-D)

To learn more, visit the Virginia Department of Forestry (VDOF) online at:

www.dof.virginia.gov

Fairfax County is committed to nondiscrimination on the basis of disability in all county programs, services and activities. Reasonable accommodations will be provided upon request. Materials such as this publication may be available in alternate formats. To request reasonable ADA accommodations or materials in alternative formats, call the Office of the Fire Marshal at 703-246-4803 (TTY: 711 or 1-800-828-1120) or write us at the following address: 10700 Page Avenue, Fairfax, VA 22030.