

## **Community Awareness Bulletin #1**

**Updated March 2025**

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# **BURNING REGULATIONS**

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This information is provided to clarify the regulations regarding open-air burning in Prince William County.

## **Recognized Burning**

There are three recognized types of lawful burning in Prince William County.

1. Recreational fires
2. Bonfires
3. Controlled Burning

**Controlled burning and bonfires require a permit.**

Recreational fires do not require a permit.

Burn laws come from:

- Statewide Fire Prevention Code 2021
- Prince William County Code
- State Forestry Laws
- DEQ Regulations

## **Definitions**

### **Open Burning**

The burning of materials wherein the 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, smudge pots and similar devices associated with safety or occupational uses typically considered open flames, recreational fires, or use of portable fireplaces. For the purposes 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. *(SFPC 202 Definitions)*

### **Outdoor Fireplace**

A portable or permanent, outdoor, solid-fuel-burning fireplace that may be constructed of steel, concrete, clay or other noncombustible material. An outdoor fireplace may be open in design, with a spark arrester, or may be equipped with a small hearth opening and a short chimney or chimney opening in the top with a combustion chamber of not more than 36 inches (914 mm) in diameter by 24 inches (610 mm) in height size. *(SFPC 202 Definitions)*

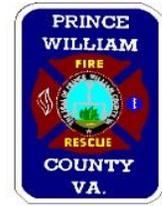
### **Portable Outdoor Fireplace**

A portable, outdoor, solid-fuel-burning fireplace that may be constructed of steel, concrete, clay or other noncombustible material. A portable outdoor fireplace may be open in design, or may be equipped with a small hearth opening and a short chimney or chimney opening in the top. *(SFPC 202 Definitions)*

Open burning shall not be utilized for waste disposal purposes, shall be of the minimum size for the intended purpose, and the fuel shall be chosen to minimize the generation and emission of air contaminants. *(9.2-34 PWC Code)*

### **Controlled Burning**

Controlled burning is outdoor burning that is utilized to accomplish recognized agricultural, permitted land clearing, prescribed burning and approved wood waste disposal operations. Controlled burning is a form of open-air burning.



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### **Definitions cont.**

#### **Agricultural Burning**

Agricultural burning is outdoor burning utilized for crop residue reduction, cereal grain stubble removal, pest or disease control, fruit tree debris removal, denaturing of seed and grain and to prevent loss from frost or freeze damage when other methods are not possible. (DEQ air regulations 9VAC5-130-50C) Agricultural burning is a form of open-burning.

#### **Prescribed Burning**

Prescribed burning is burning for wildlife management, forest management (silvicultural) and range management (increases forage for grazing). Prescribed burning shall be conducted in accordance with the Department of Forestry's smoke management plan. (DEQ air regulations 9VAC5-130-50B) Prescribed burning is a form of open-burning.

#### **Land Clearing Refuse-**

Land clearing is the removal of brush, stumps, and other vegetation and similar matter generated from site clearing, and shall not include demolition material or refuse products from other sites. Only permitted land clearing uses will be considered for a burn permit. Burning of land clearing refuse, other than agricultural, shall be conducted utilizing "special incineration devices" as defined in the State Air Pollution Control Board Regulations Concerning Emission Standards for Open Burning. A separate permit is required for each separate or new special incineration device on a site.(9.2-32d PWC code)

#### **Wood Waste-**

Wood waste means untreated wood and untreated wood products, including tree stumps, trees, tree limbs, bark, chips, scraps and slabs. Wood waste does not include:

- Grass, grass clippings, leaves, bushes, shrubs, and clippings from bushes and shrubs from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands.
- Construction, renovation, or demolition wastes.
- Clean lumber.

#### **Yard Waste-**

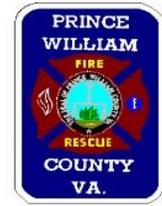
Yard waste means grass, grass clippings, leaves, bushes, shrubs, and clippings from bushes and shrubs that come from residential, commercial/retail, institutional, industrial sources as part of maintaining yards or other private or public lands. Yard waste does not include construction, renovation, and demolition wastes or clean wood.

#### **Special Incineration Device-**

Means an open pit incinerator, conical or tee-pee burner, or any other device specifically designed to provide good combustion performance. (DEQ Ch. 130 Definitions)

#### **Recreational Fire-**

An outdoor fire burning materials other than rubbish where the fuel being burned is not contained in an incinerator, outdoor fireplace, portable outdoor fireplace, barbecue grill or barbecue pit and has a total fuel area of 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height for pleasure, religious, ceremonial, cooking, warmth or similar purposes. (SFPC 202 Definitions)



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### **Definitions cont.**

#### **Bonfire**

An outdoor fire utilized for ceremonial purposes. (SFPC 202 definitions)

A bonfire shall not be more than five feet by five feet by five feet in dimension and shall not burn longer than three hours. The maximum size and duration of a bonfire shall not be increased by the fire marshal unless it is determined that safety requirements of the situation and the desirable duration of the burn warrant the increase. (9.2-36 PWC code)

### **Permits**

Recreational fires do not require a permit. (See definition for recreational fires above)

In accordance with the Statewide Fire Prevention Code, a person shall not kindle or authorize to be kindled or maintained any open-air burning unless conducted and approved by the Prince William County Fire Marshal's Office. (SFPC 307.1)

A permit shall be obtained from the Prince William County Fire Marshal's Office prior to kindling a fire for recognized controlled burning and bonfires. Application for such approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled. (SFPC 307.2)

Burn permits are also referred to as Hazardous Use Permits and must be applied for by calling the Fire Marshal's Office at (703) 792-6360 or obtaining an application at [www.pwcva.gov/Fire Marshal's Office](http://www.pwcva.gov/Fire%20Marshal's%20Office)

Permits do require a non refundable fee. (Please call or view website information to see permit fees).

Permits must be applied for and paid in full at least 72 hours before burning is planned to be conducted. (Sec. 9.2-32b PWC code)

### **Location**

Controlled burning shall be conducted as to maintain 1,000 feet of clearance from any occupied building. Controlled burning shall not take place within 300ft. of any woodland. (Sec. 9.1-41 PWC code)

A bonfire shall not be conducted within 50 ft. of a structure or combustible material unless the fire is contained in a BBQ pit. Conditions which could cause a fire to spread within 50 ft. of a structure shall be eliminated prior to ignition. (SFPC 307.4.1)

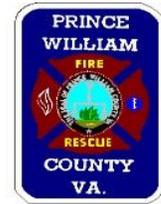
Recreational fires shall not be conducted within 25 feet (7620 mm) of a structure or combustible material. Conditions that could cause a fire to spread within 25 feet (7620 mm) of a structure shall be eliminated prior to ignition. (SFPC 307.4.2)

Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet (3048 mm) of a structure or combustible material. (SFPC 307.4.3)

**Exception:** Portable outdoor fireplaces used at one- and two-family dwellings. MUST be used per manufacturer's directions.

### **Fire Safety Requirements**

Open burning, bonfires, recreational fires, and the use of portable outdoor fireplaces shall be constantly attended until the fire is extinguished. A minimum of one portable 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. (SFPC 307.5)



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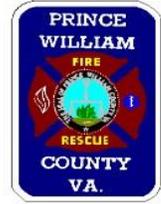
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### **Burning That Is Not Allowed**

- Burning of leaves, brush, stumps, branches, ground cover and any other associated yard waste unless part of an allowable controlled burn. Fallen trees are considered yard waste (see definition for controlled burning above)
- Burning of trash
- Any other burning not approved by law and the Prince William County Fire Marshal.

### **Burning Rules**

- A. Burning from February 15 thru April 30 may only take place between 4:00pm and 12:00 midnight if your fire is within 300 feet of the woods or combustible materials capable of spreading fire to the woods. This is due to Virginia State Laws that are in effect during this time. During these times winds are usually calmer and the relative humidity is increased. ( VA code 10.1-1142) Please see [www.dof.virginia.gov](http://www.dof.virginia.gov) for more information.
- B. Some open-air burning is restricted from May thru September due to regulations set forth by the Department of Environmental Quality. The seasonal restrictions apply to the destruction of clean- burning waste and debris waste resulting from the development of roads and highways, parking areas, railroad tracks, pipelines, power and communication lines, buildings or building areas, sanitary landfills, or from any other clearing operations. (DEQ air regulations ch. 130) Please see [www.deq.virginia.gov/](http://www.deq.virginia.gov/) for more information.
- C. Prior to the ignition and upon completion of any burning, notification to the Prince William County Communications Center must be made at (703) 792-6500. The location and permit number must be given at this time.
- D. There are many items that shall not be burned. These include rubber tires, asphaltic materials, crankcase oil, impregnated or treated wood, any rubber or petroleum based materials, construction debris, hazardous or toxic materials, commercial, industrial or residential waste, household garbage and animal carcasses. (DEQ air regulations ch. 130)
- E. Fuel for a bonfire shall consist only of seasoned dry firewood and shall be ignited with a small quantity of paper. The fire shall not be used for waste disposal purposes, and the fuel shall be chosen to minimize the generation of air contaminants. (9.2-36b PWC code)
- F. Open burning shall be prohibited when atmospheric conditions or local circumstances make such fires hazardous. (SFPC 307.1.1)
- G. Where open burning creates or adds to a hazardous situation, or a required permit for open burning has not been obtained, the fire code official is authorized to order the extinguishment of the open burning operation. (SFPC 307.3)
- H. The fire marshal shall prohibit open burning that will be offensive or objectionable due to smoke or odor emissions when atmospheric conditions or local circumstances make such fires hazardous. The fire marshal shall order the extinguishment, by the permit holder or the fire department, of any open burning, which creates or adds to a hazardous or objectionable situation. (9.2-32e PWC Code)
- I. Permits may be revoked by the Fire Official if any of the above conditions are violated.



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### **Barbeque Grills, Fire Pits and Similar Devices**

Construction of permanent barbeque structures and fire pits require approval from the Prince William County Zoning Department.

**No charcoal cooker, smoker, grill, or any flammable liquid or liquefied petroleum gas fired stove or similar devices shall be ignited or used on the balconies or spaces under balconies of multifamily dwellings, nor in a similar manner in any occupancy unless approved by the Fire Marshal.** These devices can be used at ground level if greater than 15 ft. from any structure. (9.2-37 PWC code)

#### **Exceptions:**

- Electric grills and other devices approved by the fire marshal.
- Detached one- and two-family dwellings and townhouses. The appliance or device **MUST** be used per manufacturer's directions.