County of Goochland Department of Fire-Rescue - Office of the Fire Marshal Open Burning Regulations Summary

This document summarizes Goochland's Open Burning Regulations.

Refer to Goochland County Code, Chapter 6, Sections 6-50 through 6-57 for the full text of the Regulations.

Contact the **Fire Marshal** at **(804) 556-5365** with any questions.

- **I. Open Burning** occurs when combustion byproduct is emitted directly into the atmosphere without passing through a stack, duct, or chimney.
- **II. 4PM Law**. From Feb. 15 April 30, burning is restricted to the hours of 4 p.m.- Midnight.

4PM BURNING LAW IN EFFECT FEBUARY 15 – APRIL 30







III. When, Where, and How to Get a Permit.

- A. Permits are required for residential bonfires (pile size larger than 8'x8'x8') and for all land clearing and maintenance operations regardless of pile size. See the "Permit Exceptions" section below for more information on burning without a permit.
- B. Permits are available at the **Goochland Fire-Rescue Administration Office** during normal business hours (8:30am-5pm).
- C. Provide \$75 permit fee. Checks, money orders, or the exact cash amount are accepted.
- D. Provide **site diagram** clearly showing the location of the burn pile(s) and distances to roadways and the nearest buildings on another person's property. The Fire Marshal must approve all site plans and may require a site visit prior to issuing a permit.
- E. Provide **permission letters** from neighboring property owners in order to burn closer to their home and other buildings than 300' (for residential fires) and 750' (for land clearing fires), but in no event less than 50' away from any home or building. Keep a copy of the signed and dated permission letters on-site for the duration of the permit.
- F. For new construction land clearing, provide the **zoning permit** and/or approved POD number. In RPUD and MPUD zoning districts, burning must be conducted at least 1,000' from the nearest structure and 100' from any woodline, no exceptions.
- H. Permit applications will be processed within 10 days of receipt of all applicable fees, plans, and permissions.
- I. Permits can be issued for up to 1-year. Permits for less than 1-year may be extended once by the Fire Marshal at no additional charge if requested prior to permit expiration and within the initial 1-year period.

IV. Open Burning Rules.

- A. <u>Do</u> get a permit. Call the Fire Marshall (804) 556-5365. See Permit Exceptions below for situations that do not require a permit.
- B. <u>Do</u> notify the Sheriff's Office. Call the **Sheriff non-emergency line (804) 556-5348** prior to burning with the location and time of the planned burning.
- C. <u>Do not</u> burn **Prohibited Materials** or in **Prohibited Locations** (see below).
- D. **Do not** use accelerants to ignite any fire.
- E. **<u>Do not</u>** burn items transported to your property from another property.
- F. **Do not** burn when winds will carry smoke and ash to another person's dwelling, building, or roadways.
- G. Do not leave unattended; attend burning at all times until the fire is completely extinguished.
- H. Burning that causes objectionable smoke or odor will require extinguishment until more favorable winds are present. Multiple complaints for the same location may result in permit revocation.
- I. Open burning conducted with a permit or in accordance with regulations does not exempt any person from being **held accountable** for damages or injuries as a result of the burning. Cost for any emergency response required due to a failure to maintain control of the open burning may be charged to the responsible party.



- V. **Prohibited Materials.** Burning any of the following is strictly prohibited:
 - Garbage, including rotting animal or vegetable matter.
 - Rubber tires, rubber products, asphalt, petroleum products, treated lumber.
 - Animal carcasses or animal waste.
 - Hazardous or toxic materials and their containers, industrial, and commercial waste.
 - Demolition materials such as building materials or parts of buildings being torn down.
 - Materials transported from another location or property.
- VI. Prohibited Locations. Open burning is prohibited in RPUD and MPUD zoning districts, except for recreational fires and new construction land clearing. These neighborhoods include but are not limited to:



- Kinloch
- Mosaic
- Parkside Village
- Parke at Centreville
- Parke at Manakin Woods
- Parke at Saddlecreek
- Randolph Square
- Reader's Branch

- Songbird
- Tuckahoe Bridge
- West Oak
- ❖ Recreational fires must be less than 2'x3' in diameter, at least 25' away from all combustible materials, and only burn non-treated, clean burning wood or similar materials. Use of a metal screen or other spark arrester over the fire is highly recommended.
- ❖ Portable outdoor fireplaces, chimineas, and gas and charcoal grills must be used in accordance with manufacturer's instructions and located at least 15' away from all combustible materials.
- Land clearing for new construction is allowed by permit when the burn will be conducted at least 1,000' from the nearest structure on any property and 100' from any woodline, no exceptions.
- VII. Permit Exceptions. A permit is not required for the following types of burning.
 - A. Small Residential Fires (less than 8'x8'x8'), provided that:
 - 1. The fire is located at least 300' from all neighboring homes and other occupied structures and at least 50' from the homeowner's home. Written (dated) permission from neighbors must be obtained to burn within 300' of their home, up to a limit of 50'. Maintain a copy of the permission on-site.
 - 2. Adequate precautions are taken to prevent the fire from spreading. This can be done by plowing or grubbing the soil around the burn pile and providing an ample water supply; and
 - 3. Burn materials are limited to leaves, limbs, yard rakings, garden trimmings, brush and other plant materials, household refuse, and trash accumulated during day-to-day living, but not garbage.
 - **B.** Residential Container Burning, provided that the burn is contained within an approved 55-gallon drum or similar device not more than 3 feet in diameter, covered by a screen, spark arrester, or chimney that causes embers to cool before being emitted into the atmosphere, and the container is located at least 15' away from any structure.



VIII. Violations of the County's open burning laws are punishable as **Class 1 misdemeanors**. Refer to Goochland County Code Sections 6-50 – 6-57 for the full text of the County's Open Burning Regulations.