

## COUNTY WIDE BURNING ORDINANCE

The Gloucester County Fire Protection Ordinance (Gloucester County Code, Chapter Articles I, II, III, IV, and V) revisions became effective May 1, 2004. Copies of the Ordinance are available at the Office of the Environmental Programs, at 6489 Main Street, and also on-line at [www.gloucesterva.info/EnvironmentalPrograms](http://www.gloucesterva.info/EnvironmentalPrograms).

The Code defines 'debris waste' as stumps, wood, brush and leaves from on-site land clearing operations and maintenance. Burning of this material is both permissible and permissible by following the regulations as set forth in the Ordinance. Burning of miscellaneous substances is prohibited and includes, but is not limited to; rubber tires, garbage, asphalt shingles, building demolition wastes, etc.

For residential yard maintenance, it is permissible (no permit needed) to burn leaves, branches and limbs within the rules that follow, however, it is highly encouraged that you consider composting, mulching, or alternate means of yard wastes disposal that are more environmentally friendly:

### Residential Yard Waste

Leaves, tree, yard and garden trimmings that result from maintenance of the property can be burned on the premises without a permit with adherence to the following criteria:

- All burn piles 3 feet or less high (tall) and less than 10 feet by 10 feet on the ground, must be a minimum of 100 feet away from any adjacent occupied building (including homes and businesses), and a minimum of 50 feet away from any structure (including sheds, garages, and the home on the premises).
- All burn piles between 3 feet and 10 feet high (tall), and less than 10 feet by 10 feet on the ground, must be a minimum of 150 feet away from any adjacent Occupied building (including homes), and provision made to keep the fire from spreading to within 50 feet of any structure.
- All fires must be constantly attended until extinguished with provisions such as water hoses, sand, dirt, or fire extinguishers (minimum of 1-4A rated or 2-2A rated extinguishers) available at the burn location in sufficient quantities to extinguish the fire.
- Burning yard wastes in ditches, drainage ways, and public rights-of-way is specifically prohibited.
- No burn pile can be taller than 10 feet or larger than 10 feet by 10 feet on the ground without a permit issued by the County.

Also, the burning shall be conducted when the wind is not blowing right to your neighbor's house, the road, or other habitable structure. If you cannot establish a burn area that meets the minimum separation distances, you should compost, mulch, or take your yard refuse to one of the County transfer/recycling areas. Violations are a Class 3 misdemeanor punishable by a fine up to \$500, per County Code Section 8-41.

### Land Clearing Waste

Limbs, trees, stumps and vegetation from land clearing for lots, subdivisions and commercial sites can only be burned by permit. Please contact this office at (804) 693-1217 to schedule the necessary site visit and to pick-up a permit application.

Gloucester County is also included in the Commonwealth of Virginia's Hampton Roads Emission Control Area which prohibits burning of land clearing debris wastes from **May 1 through September 30 of each year.**

Be advised that violations of the Burning Ordinance that require a permit are a Class 1 misdemeanor, punishable by a fine up to \$2,500, confinement in jail for not more than twelve months; either or both, per County Code Section 8-41.

For general questions, or to report complaints, please call the Office of the Environmental Programs at (804)693- 1217 during normal business hours. After hours and on weekends, please call (804) 693-3890.

To report fires threatening lives or property, call 911.

### Forestry Departments 4 pm burn law in effect February 15 through April 30

In addition to the rules and regulations for general yard waste and land clearing burning listed previously, State Forestry and County regulations also protect from forest fires during the period above and states:

County Code Section 8-25(b) During the period beginning February fifteenth and ending April thirtieth of each year it shall be unlawful 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 flammable material capable of spreading fire, located in or within three hundred (300) feet of any woodland and brush land, except between the hours of 4:00 p.m. and midnight.