Stafford County Fire and Rescue Department
Office of the Fire Marshal
1225 Courthouse Road, PO BOX 339, Stafford, VA 22555
(540) 658-8648 · www.staffordfirerescue.com/fm

Guidelines and Specifications For:

Burn Laws

Applicable Codes and Standards:

VSFPC - Virginia Statewide Fire Prevention Code (2021)
SCC – Stafford County Code (Chapter 12)
COV – Code of Virginia

General Requirements	Code Section
NOTIFCATION REQUIRED! Open burning may only take place after notification to the **Stafford County Emergency Communications Center at 540-658-4440.**	SCC 12-52(g)
Open burning of trash, garbage, waste, construction debris, oil, tires, etc. is **prohibited at all times.**	SCC 12-52(a,b,c)
From **February 15th through April 30th** each year, approved open burning is allowed only between **4:00PM and 12:00AM**.	SCC 12-54(f) COV 10.1-1142
A Burn Permit is required for burning any material as a result of land clearing operations. Permits applications must be submitted **at least 10 days prior** to the desired date of burning. Per DEQ regulations, Burn Permits are **prohibited between May and September** each year.	SCC 12-54(c)
The Fire Marshal or designee shall prohibit open burning when atomospheirc conditions or local circumstances make such fires hazardous. The Fire Marshal may order extinguishment by the burn operator or fire department of any open burning which creates or adds to a hazardous situation or any that has been left unattended.	SCC 12-52 (h) VSFPC 307.3

Burning Regulations	Code Section
Residential burning and recreational **burning shall include only wood, brush, grass trimmings or leaves** generated from routine maintenance on site and not from land clearing operations.	SCC 12-54(a)
Open burning shall be **constantly attended** by a competent person at least 18 years old and until the fire is extinguished.	SCC 12-52(i) VSFPC 307.5
Fires shall be at least **50 feet from any structure or combustible material** unless not more than 3ft by 2ft in size (reduce to 25ft) or located in a portable outdoor fire place or other approved container (reduce to15ft).	SCC 12-54 VSFPC 307.4
Residential burning shall not be located within **300 feet of any regularly occupied structure** without the **written permission** of the owner or occupant of the structure.	SCC 12-54(a)(2)
Burning, including smoke production, shall be conducted as to minimize any nuisance to neighbors.	SCC 12-54(a)(4)

Additional Burning Recommendations
• Burn only dry leaves. Wet leaves produce unnecessary smoke generation. • Burn only small piles no more than 3 feet wide and 2 feet tall. Large, long piles do not completely burn. • Never use gas, lighter fluid or any other fuel to kindle or rekindle a fire. If the leaves need fuel to burn, they are too wet to burn and may create potential for injury. • Start the fire in your leaf pile against the wind. This will allow the fire to burn slower and burn deeper into the leaf pile. • Keep small children away from the fire and out of the smoke. • Keep a garden hose handy in case of sudden, uncontrolled fire spread.

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Prohibited Burning	Code Section
The burning of garbage, refuse, trash, rubbish, tires, oil, solid or liquid waste, hazardous materials, rubber, petroleum based materials such as plastics, or building/construction materials is PROHIBITED at all times.	SCC 12-52

Burn Law Matrix

Burning Activity	Open Burning Category	Notification and Attendance Required	Permit Needed	Min. Distance to Any Structure or Combustible Materials	Min. Distance to Neighboring and Occupied Structure	Maximum Size or Duration	4PM to Midnight 2/15 to 4/30 *COV § 10.1-1142*	Prohibited May through September *9VAC5-130-40*
Bonfire	Recreational	Yes	No	50ft	50ft	5ft x 5ft 3 Hours	Yes	No
Campfire, fire pit, etc.	Recreational	Yes	No	25ft	25ft	3ft x 2ft 3 Hours	Yes	No
Open container, burn barrel, etc.	Recreational	Yes	No	25ft	25ft	2ft x 3ft 3 Hours	Yes	No
Leaves, brush, trimmings, etc.	Residential	Yes	No	50ft	300ft(1)	N/A	Yes	No
Agricultural, farms, etc.	Residential	Yes	No	50ft	300ft(1)	N/A	Yes	No
Non-residential site development	Land Clearing	Yes	Yes(2)	50ft	1000ft(1)(3) 2500ft(3)(4)	N/A(5)	Yes	Yes
New house or neighborhood site clearing	Land Clearing	Yes	Yes(2)	50ft	1000ft(1)(3) 2500ft(3)(4)	N/A(5)	Yes	Yes
Road, pipeline or construction site clearing	Land Clearing	Yes	Yes(2)	50ft	1000ft(1)(3) 2500ft(3)(4)	N/A(5)	Yes	Yes
BBQ grills	Not Open Burning	No	No	10ft(6)(7)	10ft(6)(7)	Manufacturer's Instructions	No	No
Outdoor fireplace, closed container, "Chimineas", etc.	Not Open Burning	No	No	15ft(6)	15ft(6)	Manufacturer's Instructions	No	No

(1) Written permission required to reduce distance *[SCC 12-54(a)(2) & SCC 12-54(c)(3)]*
(2) Prohibited within the Urban Services Area *[SCC 12-54(c)(5)]*
(3) Reduction to 300ft and 1000ft with an approved special incineration device *[SCC 12-55(b)]*
(4) Minimum distance to airfields, schools or healthcare facilities *[SCC 12-54(c)(4)]*
(5) Fires are not to be fed from Friday noon until Monday 7AM *[SCC 12-54(c)(6)]*
(6) Does not apply when used at one/two family dwellings *[VSFPC 307.4.3 and VSFPC 308.1.4]*
(7) Does not apply where buildings, decks, and balconies are sprinklered or if only using small propane cylinders (2.5lbs or less). *[VSFPC 308.1.4]*