

## **WHAT YOU SHOULD KNOW ABOUT OPEN BURNING IN FAUQUIER COUNTY**

On March 4, 1997 the Fauquier County Board of Supervisors adopted Chapter 9 of the county code related to open burning. By resolution the ordinance was effective when approved by the Virginia Department of Environmental Quality (DEQ). The ordinance was approved by DEQ on April 4, 1997.

**Purpose:** "...to protect the public health, safety, and welfare by regulation open burning within the County of Fauquier..."

**Chapter 9 has the following effects:**

***Open burning prohibited except as provided for in Chapter 9, Section 9-20, A & B:***

Prohibits open burning for the disposal of rubber tires, asphaltic materials, crankcase oil, impregnated wood, or other rubber or petroleum materials.

Prohibits burning of hazardous waste or their containers and disposal of commercial/industrial waste.

Does not supersede the Forest Fire Law of Virginia or the Regulations of the Virginia Waste Management Board and the State Air Pollution Control Board.

**Section 9-21: Exemptions:**

Training and Instruction of Firefighters

Camp fires or other fires for outdoor recreational purposes, ceremonial occasions, outdoor non commercial preparation of food, and warming of outdoor workers **unless** the open burning is offensive, objectionable or dangerous to the health, safety and welfare of the citizens of the county as determined by the Director of Emergency Services.

Open burning by flare stack for the destruction of combustible gases or liquids.

Open burning for forest management and agricultural practices approved by the State Air Pollution Control Board.

**Section 9-22: Permissible Open Burning**

Open burning for the disposal of leaves, tree, yard and garden trimmings located on the premises of private party.

Open burning for the disposal of household refuse by homeowners or tenants, provided such refuse does not contain animal waste or carcasses and does not contain garbage.

In both cases above, the open burning must take place on the premises of private property, be more than 25 feet from a public or private right-of-way, have no public collection service available and must be 300 hundred feet from the nearest occupied dwelling unless the occupants have granted prior permission.

**Section 9-22 C & D: Permissible Open Burning, PERMIT REQUIRED**

A permit from the Fauquier County Department of Fire and Emergency Services is required for open burning of debris waste resulting from property maintenance, from the development or maintenance of roads and highways, parking areas, railroad tracks, pipelines, power and communication lines, buildings or building areas, sanitary landfills, or any other clearing operations and for the use of a special incineration device. Permits are issued at no charge, and the burning must be 50 feet from the nearest occupied dwelling unless the occupants have granted prior permission.

**Section 9-23: Declaration of local burning emergencies**

The Board of Supervisors may upon recommendation of the State Forester or the Director of Emergency Services declare an open burning emergency and prohibit all open burning until the emergency has passes.

**Section 9-24: Hazardous or objectionable fires**

The Director of Emergency Services or his designee shall prohibit open burning which will be offensive or objectionable or dangerous to the health, safety and welfare of the citizens of the county due to smoke or odor emissions when atmospheric conditions or local circumstances make such fires hazardous.

**FOR ADDITIONAL INFORMATION PLEASE CALL:**

**FAUQUIER COUNTY  
DEPARTMENT OF FIRE AND EMERGENCY SERVICES  
(540) 347-6995**

**TO REPORT UNLAWFUL BURNING CALL  
(540) 347-1313**