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Outside Burning Regulations

Adopted by the Board of Supervisors of Warren County 11-19-2002. Amendments noted where applicable.

Chapter 92: BURNING, OUTDOOR

§ 92-1. Definitions.

For purposes of this chapter, the following words and phrases shall have the following meanings respectively ascribed to them:

- BARBEQUE — An enclosed, except the top which need not be enclosed, grill, pit, or outdoor fireplace for cooking food.
- OPEN BURNING — The burning of any matter in such a manner that the products resulting from combustion are emitted directly into the atmosphere without passing through a stack, duct, or chimney.
- § 92-2. Outdoor burning prohibited in designated locations.

Except as hereinafter provided, all open burning is prohibited in the following designated areas of Warren County, which, in the opinion of the Board of Supervisors, are so heavily populated as to make such burning dangerous to the inhabitants thereof or their property:

- A. Within the boundary lines of High Knob Subdivision, as set forth on the plats of said subdivision recorded by High Knob, Incorporated, in the Clerk's office of the Circuit Court of Warren County.
- B. Within the boundary lines of all sections of Blue Mountain Subdivision, as shown on Warren County Tax Maps 15A; 16A; 24A, Sheets 1 and 2; 24B, Sheets 1 and 2; and 24D. [Added 11-16-2004]

§ 92-3. Exceptions.

Open burning is permitted for one or more of the following reasons or purposes:

- A. The cooking of food in a barbeque.
- B. Open burning is allowed when done in performance of an official duty of any public health or safety officer if the fire is necessary for one or more of the following reasons or purposes:
 - (1) For the prevention of a fire hazard which cannot be abated by other means;
 - (2) For the instruction of public fire fighters under supervision of the Warren County Fire Chief or his designee; or
 - (3) For the protection of public health.



Virginia's 4 p.m. Burn Law: Outdoor Fires Unlawful Before 4:00 PM February 15 through April 30

Virginia's 4:00 p.m. Burning Law goes into effect on February 15. The 4:00 p.m. Burning Law comes into effect each spring and is different from the burning bans, which are invoked only during periods of extreme fire danger. Debris burning continues to be the leading cause of forest fires in Virginia.

You can read the full text of the law § 10.1-1142 on our Web site.

Briefly, the 4:00 p.m. Burning Law states: from February 15 through April 30 of each year, no burning before 4:00 p.m. is permitted, if the fire is in, or within 300 feet of, woodland, brushland or fields containing dry grass or other flammable material.

Since forest fuels cure during the winter months, the danger of fire is higher in early spring than in summer when the forest and grasses are green with new growth. The 4:00 p.m. Burning Law is an effective tool in the prevention of forest fires. Localities may have more restrictive outdoor burning laws.

For more information and complete copies of the law, please contact your local VDOF office.

Frequently Asked Questions

Burning and the 4 p.m. Law. What is the 4 p.m. law?

The 4 p.m. law is a ban (or restriction) on open air burning before 4 o'clock in the afternoon if your fire is within 300 feet of the woods or dry grass which can carry the fire to the woods. You are allowed to burn between 4 p.m. and midnight as long as you take proper care and precaution and attend your fire at all times.

When is the 4 p.m. law in effect?

The law goes into effect on February 15th each year and runs through April 30th.

Why is there a 4 p.m. law ?

The 4 p.m. law was adopted back in the 1940's in an attempt to reduce the number of wildfires which occurred during the spring. It was this time of the year during which Virginia traditionally has an increased number of fires. The winds are usually elevated, the relative humidity's are lower and the fuels on the forest floor are extremely dry having "cured-up" over the winter not having the tree leaves to shade them.

Why 4 o'clock?

After 4 p.m. the winds usually calm down and the relative humidity's are on the increase, both of which reduce the potential for a debris fire or any outdoor open air fire to escape your control.

What is the main cause of wildfires in Virginia?

Debris burning is the #1 cause of wildfires followed closely by intentionally set or "arson" fires.

How many wildfires burn in Virginia each year and how many acres are burned?

Virginia has records which date back to 1925, and our 30 year average is 1,449 fires for 8,338 acres per year. 1941 saw the most fires with 3,697, and 1930 had the most acreage burned at 333,023 acres.



Can I have a campfire if I put rocks around it?

NO. Campfires are considered an open air fire. The only approved campfire that can be lit before 4 PM are those that are in a commercial campground. i.e. National Park, National Forest, Gooney Creek Campground, Yogi Bear Campground, etc.

If I take all precautions with my fire after 4 p.m. and it does escape and start a fire, am I responsible for the suppression cost?

Yes. Although you may have taken all proper precautions and obtained any locally required permits, whoever started the fire is responsible should the fire escape.

What is the penalty for violating the 4 p.m. law?

Violation of the 4 p.m. law is a class 3 misdemeanor with a fine of not more than \$500.

Can I use my charcoal or gas fire fired barbeque grill?

Yes, however you must take proper care and precaution by clearing all flammable material from around it and you must stay with it until it is completely extinguished or turned off.

Are building contractors and road construction jobs exempt from the 4 p.m. law?

No, however if the burning operations are greater than 300 feet from the woods or flammable grass/vegetation which would allow the fire to spread to the woods the 4 p.m. law does not apply.

Virginia Department of Forestry

900 Natural Resources Drive

Charlottesville, Virginia 22903

tel: 434.977.6555

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For more information, contact the Woodstock Station at 540-459-3151.

Warren County Fire & Rescue Services

200 Skyline Vista Drive, Suite 200

Front Royal, VA 22630

540-636-3830