Life Safety Division
Office of the Fire Marshal
231 E. Piccadilly Street
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BONFIRES

** PERMIT REQUIRED **

SCOPE

This publication outlines the Fire Prevention code requirements and prohibitions as well as permit application and inspection scheduling information related to bonfires conducted within the City of Winchester. This publication does not address recreation fires, controlled open burning, charcoal grills and open flame cooking devices, or portable outdoor fire places.

Questions regarding the content of this publication should be directed to the Office of the Fire Marshal at 540-662-2298 during regular office hours, Monday thru Friday, 7:00 a.m. to 5:00 p.m.

OVERVIEW

A bonfire is a constantly attended outdoor fire utilized primarily for ceremonial purposes that has a fuel area no more than 5 feet in diameter and 5 feet in height. The size of the bonfire (i.e., quantity of fuel or fuel area) may be limited at the discretion of the Fire Marshal. A bonfire is a form of open burning and requires a Fire Prevention Code Permit (FPCP).

OPEN BURNING DEFINED- The Fire Prevention Code defines "open burning" as the burning of materials wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber. Open burning does not include road flares, smudge pots and similar devices associated with safety or occupational uses typically considered open flames, recreational fires or use of portable outdoor fireplaces. For the purpose of this definition, a chamber shall be regarded as enclosed when, during the time combustion occurs, only apertures, ducts, stacks, flues or chimneys necessary to provide combustion air and permit the escape of exhaust gas are open.

PERMIT REQUIRED

In accordance with Section 307.1.2 of the Fire Prevention Code (as amended by the City of Winchester), a Fire Prevention Code Permit (FPCP) for a bonfire shall be obtained from the Fire Marshal. This permit requirement does not apply to recreational fires, fire set for the training of firefighters under the direction of the Chief of the Fire Department, or fire set by a public health or safety officer where a health or fire hazard cannot be abated by any other means.

1. A permit shall be obtained from the fire code official prior to kindling a fire. Permits will only be issued to the owner or the owner's agent, for the land which the fire is to be kindled. A permit application can be obtained from the fire and rescue department office located at 231 E. Piccadilly Street or by going to our website at: Click for Permit Application

2. **Site Plan Required-** A plat or site plan of the property shall be provided with the permit application and shall include the following information:

    a. Proposed location of the controlled burning operation.

    b. Location of all utilities such as gas meters and overhead power lines.

    c. Location of all structures and woodlands near the burn location.

    d. Location of the two closest fire hydrants and all fire department access routes.

3. **Schedule a Site Inspection-** The site inspection must be scheduled at least one business day prior to the start of the controlled burning operations. To schedule the site inspection, contact the Office of the Fire Marshal at 540-662-2298, Monday - Friday, 8:00 am - 5:00 pm.

4. **Notification-** Notification to the Winchester Emergency Communications Center is required prior to and at the conclusion of any open burning. Contact the Winchester Emergency Communications Center 540-662-4131 and provide the following information:

    a. Provide your name, a contact number and the address/location of the controlled burning operation.

5. **Post-Burn Requirements-** At the conclusion of the controlled burning operation, be sure the fire is completely extinguished and notify the Winchester Emergency Communications Center that open burning has stopped.

GUIDELINES FOR BONFIRES

- The Fire must be attended at all times.
- Adequate means of extinguishment must be on-site at all times.
- No flammable/combustible liquids or solids shall be placed in the fire.
- Must comply with all applicable Federal, State, and Local laws, rules, regulations, codes, and ordinances.

FIRE SAFETY REQUIREMENTS

- A bonfire shall not be conducted within 50 feet of a structure or combustible material unless the fire is contained in a barbecue pit. Conditions which could cause a fire to spread within 50 feet of a structure shall be eliminated prior to ignition.

GENERAL PROHIBITIONS

Endangering Property Prohibited- In accordance with Section 307.8 of the Fire Prevention Code (as amended by the City of Winchester), no person shall kindle nor authorize to be kindled or maintain any permitted (i.e., allowable) fire in such a manner that will endanger the property of another.

Burning of Refuse Prohibited- In accordance with Section 307.1.1 of the Fire Prevention Code (as amended by the City of Winchester), the burning of yard waste, household trash, garbage, refuse, household debris waste, hazardous waste, impregnated lumber, junk, rubber, plastics, stumps,

tires, tar based materials, oil or petroleum based products, products of salvage operations, chemicals, animal carcasses and similar materials is prohibited.

For information about the environment and health hazards related to burning refuse, including backyard and barrel burning, visit the Environmental Protection Agency (EPA) online at:

www.epa.gov/osw/nonhaz/municipal/backyard/index.htm

Ignitable Liquids or Hazardous Materials Prohibited- Combustible and flammable liquids, as well as other hazardous materials, shall not be used to aid the ignition of any open burning or recreational fire. Furthermore, the application, dispensing, or use of a combustible or flammable liquid, or any other hazardous material, upon or into the fuel used in any controlled burn, bonfire, or recreational fire may be considered an unauthorized release of a hazardous material and is strictly prohibited.

Offensive or Objectionable Fires Prohibited- In accordance with Section 307.1.1 of the Fire Prevention Code (as amended by the City of Winchester), any open burning that is offensive or objectionable because of smoke or odor emissions or what atmospheric conditions or local circumstances make such fires hazardous, are prohibited.

Hazardous Fires Prohibited- The Fire Marshal or fire department may order the immediate extinguishment of any recreational fire or open burning because of one or more of the following hazardous situations:

- Unattended fires
- Unprotected or uncontained fires deemed capable of spreading
- Inadequate fire extinguishing equipment/materials
- Combustible exposure hazards
- Inappropriate or hazardous materials used as fuel
- Air contaminants, smoke, or other materials which may cause a traffic hazard

FORESTRY-RELATED REQUIREMENTS & PROHIBITIONS

4 P.M. Burn Law- It shall be unlawful, under the direction of the State Forester, for any person to set fire to, or to procure another to set fire to, any brush, leaves, grass, debris of field containing dry grass or other inflammable material capable of spreading fire, located in, or within 300 feet of woodland, brush land or fields containing dry grass or other inflammable material, except between the hours of 4:00 p.m. and midnight.

Precautions against Spread of Fire- It shall be unlawful for any owner or lessee of land to set fire to, or to procure another to set fire to, any woods, brush, logs, leaves, grass, debris, or other inflammable material upon such land unless he previously has taken all reasonable care and precaution, by having cut and piled the same or carefully cleared around the same, to prevent the spread of such fire to lands other than those owned or leased by him. It shall also be unlawful for any employee of any such owner or lessee of land to set fire to or to procure another to set fire to any woods, brush, logs, leaves, grass, debris, or other inflammable material, upon such land unless he has taken similar precautions to prevent the spread of such fire to any other land.
(Code of Virginia, 10.1-1142-A)
For more information, visit the Virginia Department of Forestry (VDOF) online at:

http://www.dof.virginia.gov/fire/index.htm