



John J. Bauserman  
Captain  
Fire Marshal  
Life Safety Division

### **FREDERICK COUNTY BURNING REGULATIONS**

In order to obtain a Burn Permit in Frederick County, please read the following information carefully. After reading, sign and date this document stating that you understand and will abide by such.

- Applications must be made 5 business days in advance of requested start date.
- A fee of \$25.00 is required with the submittal of the application.
- Burning of brush, leaves, grass, trees, and other naturally occurring material are permitted.
- Burning of household garbage, rubbish, rubber tires, asphaltic materials, used oil, construction waste or similar materials that produce dense smoke are **NOT** permitted.
- Permit holder is responsible for all suppression costs associated with a fire escaping control.
- **During the period February 15 through April 30 of each year, even though the precautions required by the foregoing subsection have been taken, it shall be unlawful, in any county or city or portion thereof organized for forest fire control under the direction of the State Forester, for any person to set fire to, or to procure another set fire to, any brush, leaves, grass, debris or field containing dry grass or other inflammable material capable of spreading fire, located in or within 300 feet of any woodland, brush land, or field containing dry grass or other inflammable material, except between the hours of 4:00 p.m. and 12:00 midnight. (Virginia Code §10.1-1142(B))**
- Open burning, bonfires, or recreational fires shall be constantly attended until the fire is extinguished. A minimum of one portable fire extinguisher complying with Section 906 with a minimum 4-A rating or other approved on-site fire-extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization. (2009 VSFPC §307.5).

#### **Commercial Burn Permit holders must also adhere to the following:**

- Per **Virginia Administrative Code §9VAC5-130-100**, Open burning is permitted on site for destruction of debris waste resulting from property maintenance. The material to be burned shall consist of brush, stumps and similar debris waste and SHALL NOT include demolition materials.
- A bulldozer or similar track equipment in operational condition and an operator shall be present at all times when commercial burning operations are underway. (**Frederick County Code §90-9(E) Equipment required on-site**).
- Location for open burning shall maintain a minimum of **500 feet** clearance from woods, streets, and occupied buildings. When burning within 500 feet of any occupied building other than the approved site location, you must receive prior written permission from the occupants of each building before permission to burn is granted.
- If smoke or fire produced from the burn becomes a nuisance to surrounding residents or businesses, and complaints are received, the party burning will be required to extinguish the fire, regardless of permit.
- No burning areas larger than 20,000 square feet and higher than 20 feet shall be permitted.
- **Any person, firm or corporation who shall violate any of the provisions of this article shall, upon conviction, be punishable by a maximum fine of \$2,500 or by imprisonment for not more than 12 months, or both such fine and imprisonment. (Frederick County Code §90-10. Violations and penalties).**
- Please call the Emergency Communications Center at (540) 665-5645 prior to burning.

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Date



**COUNTY OF FREDERICK, VIRGINIA**

FIRE AND RESCUE DEPARTMENT

1080 Coverstone Drive  
Winchester, VA 22602

**Jay Bauserman**  
Fire Marshal

Billy Pifer  
Mark Showers  
Assistant Fire Marshal

**Burning Permit**

<b>Property Owner:</b>	<b>First Due Co:</b>	
<b>Owner Street No:</b>	<b>District:</b>	
<b>Owner Street:</b>	<b>Record ID#:</b>	<b>Processed:</b>
<b>Owner City:</b>	<b>PermitNo:</b>	
<b>Owner State:</b>	<b>Owner Zip:</b>	<b>Owner Phone:</b>

\*\*\*\*\*

<b>Contractor:</b>	<b>Foreman:</b>
<b>Contractor Street No:</b>	<b>Work Phone:</b>
<b>Contractor Street:</b>	<b>After Hour Phone:</b>
<b>Contractor City:</b>	
<b>Contractor State:</b>	<b>Cont Zip:</b>

\*\*\*\*\*

<b>Site No:</b>	<b>Fire Dept Access:</b>	
<b>Site Name:</b>	<b>Water Available:</b>	
<b>Distance to Structure:</b>	<b>Distance to Woods:</b>	
<b>Fee Due:</b>	<b>Start Date:</b>	<b>Expiration Date:</b>

\*\*\*\*\*

**Notes**

- 1.) Burning must be attended at all times.
- 2.) Prior to burning, contact Fire Department Headquarters at 540-665-5645.
- 3.) Burning of Construction Debris, tires, asphaltic materials, etc. is prohibited.
- 4.) Permit holder responsible for suppression costs of fire that escapes control.
- 5.) **4 PM Burning Law - From February 15th through April 30th, no burning is permitted before 4 P.M. within 500 feet of woodlands, brushlands or fields containing dry grass or other flammable vegetation.**

Applicant Signature: \_\_\_\_\_

Fire Marshal Signature: \_\_\_\_\_

Directions/Site Note: