

City of Charlottesville

Fire Department

Office of the Fire Marshal
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Open Flame Guidelines

City of Charlottesville Code

"Open burning" --**Except as otherwise provided in this section, no person shall ignite or maintain, or cause or permit to be ignited or maintained, any open fire on public or private property outside any building.** Salvage, demolition operations, land clearing and disposal of waste materials (including, without limitation, construction debris, garbage, refuse, household refuse, brush, grass, leaves and other waste materials) by burning are specifically prohibited. Exceptions to the prohibitions of this section are as follows:

a. Open fires may be set in the performance of official duties by the fire chief or his designee when necessary: (i) for the abatement of a fire hazard which cannot be abated by other means; (ii) For training in firefighting or for research in control of fires under supervision of the fire chief or his designee; and (iii) In emergency or other extraordinary circumstances when open burning is determined by the fire chief to be in the public interest.

b. Open fires may be used for cooking food, if such fires are contained within approved grills and barbecues for the purpose of food preparation for human consumption. Open flame cooking devices shall not be **operated** on combustible balconies or within ten feet of combustible construction (which includes decks). LPG cooking devices shall not be **located** on combustible balconies or within ten feet of combustible construction (which includes decks)

c. Open fires may be set within approved **outdoor fireplaces provided such fireplaces have screened burn chambers and chimneys equipped with spark arrestor screens.** Salamanders and similar heating devices may be used for heating by outdoor workers provided that no smoke hazard or other nuisance is created and provided that such devices are used not less than fifteen (15) feet from any structure.

d. Open fires may be set for recreational purposes, or for ceremonial occasions, **with the advance approval of the fire marshal,** and provided that no smoke violation or nuisance is created.

e. **Where permitted, open burning shall be constantly monitored until the fire is extinguished. Fire extinguishing equipment shall be available for immediate use.** Notwithstanding the above-listed exceptions, there is hereby reserved to the city's fire chief the authority to **prohibit any and all open burning when in his determination smoke may cause reduced visibility on any highway, the fire is endangering adjacent property, or when flames, emissions or odors from the fire may otherwise constitute a hazard or nuisance.** The fire chief or his designee may order the extinguishing of any fire which creates any such hazard(s) or nuisance(s).