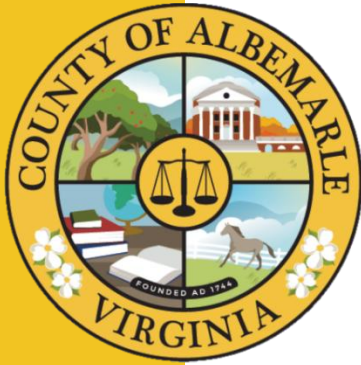


Open Burning Ordinance Update BOS Work Session

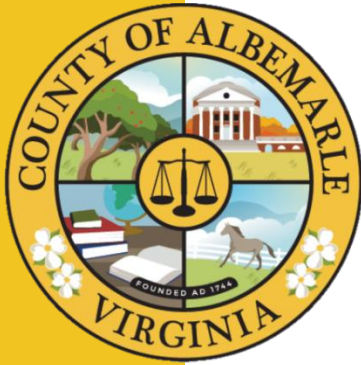


Background

In December of 2023 – The ACFR’s Fire Marshal’s office began a comprehensive research process to compare our current open burning ordinance to other localities throughout the Commonwealth of Virginia to evaluate best practices.

The following counties were included in the research:

- Arlington
- Chesterfield
- Fairfax
- Fauquier
- Hanover
- Henrico
- Loudoun
- Powhatan
- Prince William
- Roanoke
- Rockingham
- Spotsylvania
- Stafford
- Warren
- York

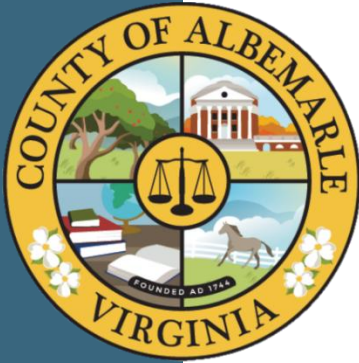


Background

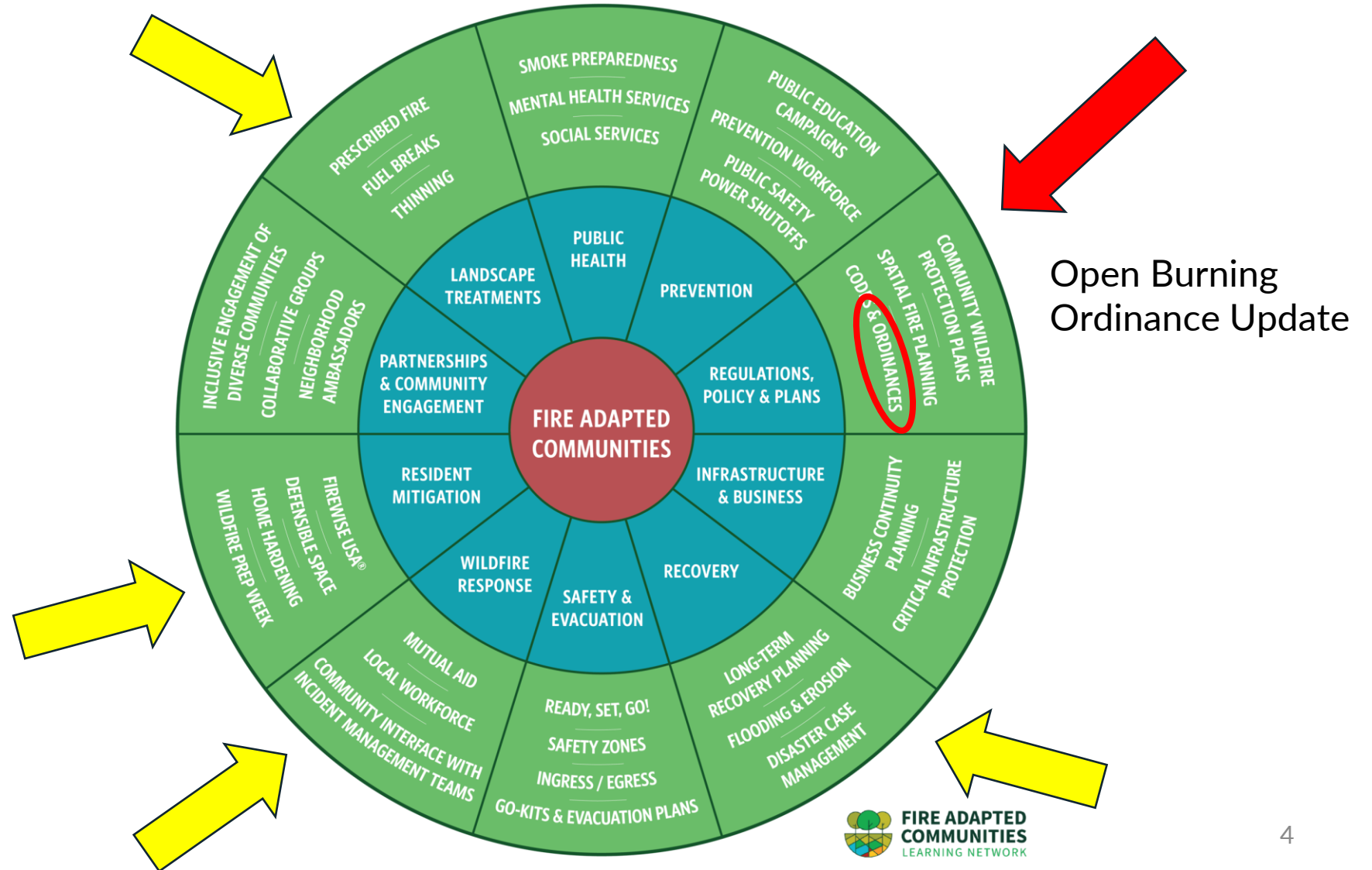
In August of 2024 – ACFR staff provided a presentation on “Wildland Fire Prevention Strategies” to the Board of Supervisors.

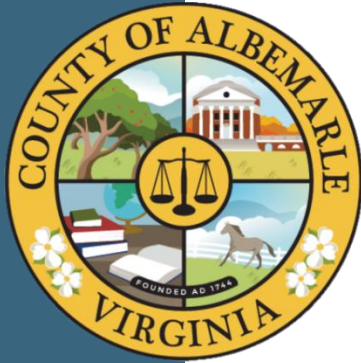
Provided a holistic, long-term approach to wildland fire prevention including:

- Develop a local ***Fire Adapted Communities*** plan
- Develop and implement an enhanced wildfire training program for ACFR
- Evaluate and identify essential equipment needs for wildfire management
- Work with The Virginia Department of Forestry to develop a fuel management plan for Albemarle County
- Update the Open Burning Ordinance (Chapter 6, Article IV “Burning of Brush”) to address gaps identified from our research



Fire Adapted Communities





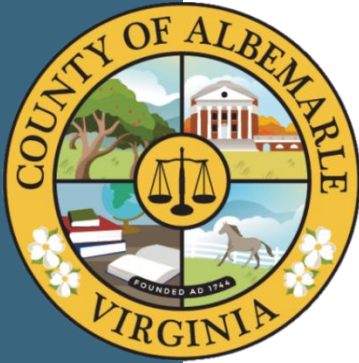
Open Burning Ordinance Update

Research/comparative analysis of other localities in Virginia completed

Gap analysis of existing ordinance completed

Recommendations for revisions include:

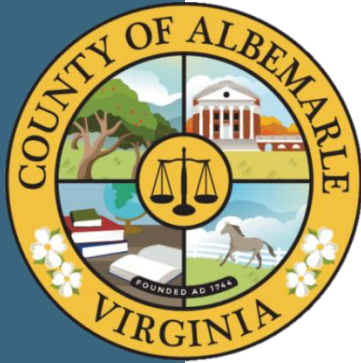
1. Clarify categories of burning & make easier to understand
2. Add language/definitions to further clarify permissible vs. non-permissible open burning
3. Enhanced enforcement capabilities
4. Increased penalties and added restitution capability



Open Burning Ordinance Update

1. Clarifies Categories of Burning & Definitions:

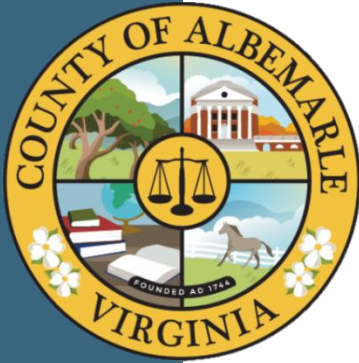
- Added the definition of “Bonfire”
- Aligns the definitions section with the permissible open burning section
- Added categories of “Open-air Fire Types” with the associated requirements for each including examples of each type:
 - Property Maintenance (Land Clearing)
 - Recreational
 - Residential



Open Burning Ordinance Update

2. Clarifies Permissible vs. Non-permissible:

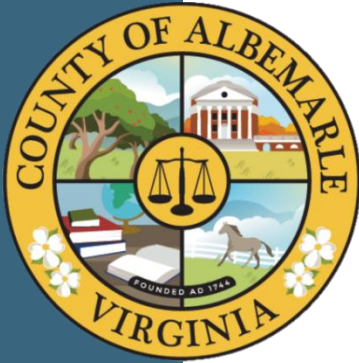
- Reinforces non-permissible materials for burning (non-natural materials)
- Codifies in County Code Department of Forestry activities such as prescribed burns
- Further clarifies when a permit is required
- Requires all open-burning to be attended at all times
- Requires (and defines) a means of extinguishment necessary for all open-burning



Open Burning Ordinance Update

3. Enhanced Enforcement Capabilities:

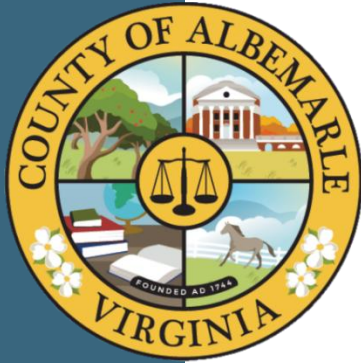
- Allows fire official to prohibit burning when weather, atmospheric conditions or local circumstances will add to hazardous conditions
- Allows fire official to increase distances for property maintenance open burning as deemed necessary
- Allows fire official the ability to order extinguishment depending on circumstances



Open Burning Ordinance Update

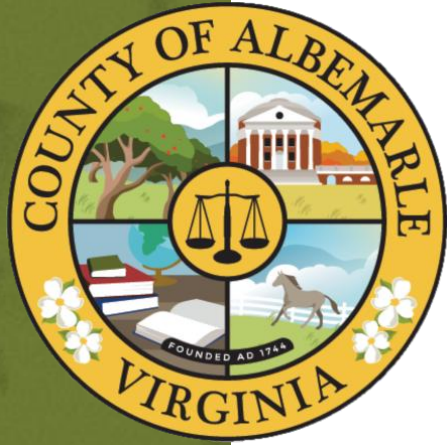
4. Increased Penalties & Restitution Capability:

- Adds escalating penalties for repeat offenses/convictions
- Increases the maximum fine possible for repeat offenses to align with a Class I misdemeanor
- Allows County to seek restitution for expenses incurred by emergency personnel to suppress a fire as a result of an offense



Next Steps:

1. Board Work Session to receive initial feedback on revisions (6/18)
2. ACFR-FMO to make any additional changes based on Board feedback
3. Legal Review
4. Public Hearing for (final) revised ordinance
5. State Air Pollution Control Board approval
6. Adoption of revised ordinance



Questions/Feedback