



CITY OF FREDERICKSBURG, VIRGINIA

Fire Department

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PORTABLE OUTDOOR FIREPLACES

This information is to assist residents with the 2015 Virginia Statewide Fire Prevention Code, Section 307 and the City of Fredericksburg local code, Section 42-115 as it pertains to portable outdoor fireplaces that have become ever so popular in our City neighborhoods.

In short, these portable outdoor fireplaces **are permissible** as long as it meets the requirements of the code. The sections of the State and City code are attached for further clarification.

The portable outdoor fireplace:

- Must be used for the purpose that it was intended for, i.e., not to burn extra brush from rear of house.
- Cannot be offensive or objectionable because of smoke.
- Shall not be operated within 15 feet of a structure or combustible (exceptions to one and two family dwellings).
- Must be attended, until the fire is extinguished.
- Must maintain on-site an approved fire extinguishing equipment.
- Must have a listed spark arresting screen.

2015 Virginia Statewide Fire Prevention Code

OPEN BURNING

OPEN BURNING: 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, smudgepots 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 gas are open.

SECTION 307

OPEN BURNING, RECREATIONAL FIRES AND PORTABLE OUTDOOR FIREPLACES

307.1 General. Open burning shall be prohibited when atmospheric conditions or local circumstances make such fires hazardous.

307.1.1 Prohibited open burning. *Open burning* that is offensive or objectionable because of smoke emissions or when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited.

307.2 Permit required. A permit shall be obtained from the *fire code official* in accordance with Section 107.2 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, or a bonfire. Application for such approval shall only be presented by and permits issued to the *owner* of the land upon which the fire is to be kindled.

307.2.1 Authorization. Where required by state or local law or regulations, *open burning* shall only be permitted with prior approval from the state or local air and water quality management authority, provided that all conditions specified in the authorization are followed.

307.3 Extinguishment authority. When open burning creates or adds to a hazardous situation, or a required permit for open burning has not been obtained, the

fire code official is authorized to order the extinguishment of the open burning operation.

307.4 Location. The location for *open burning* shall not be less than 50 feet (15 240 mm) from any structure, and provisions shall be made to prevent the fire from spreading to within 50 feet (15 240mm) of any structure.

Exceptions:

1. Fires in *approved* containers that are not less than 15 feet (4572 mm) from a structure
2. The minimum required distance from a structure shall be 25 feet (7620 mm) where the pile size is 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height.

307.4.1 Bonfires. A bonfire shall not be conducted within 50 feet (15 240mm) of a structure or combustible material unless the fire is contained in a barbeque pit. Conditions which could cause a fire to spread within 50 feet (15 240 mm) of a structure shall be eliminated prior to ignition.

307.4.2 Recreational Fires. *Recreational fires* shall not be conducted within 25 feet (7620 mm) of a structure or combustible material. Conditions which could cause a fire to spread within 25 feet (7620 mm) of a structure shall be eliminated prior to ignition.

307.4.3 Portable outdoor fireplaces. Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet (3048 mm) of a structure or combustible material.

Exception: Portable outdoor fireplaces used at one- and two-family *dwellings*.

307.5 Attendance. *Open burning, bonfires, recreational fires* and use of portable outdoor fireplaces 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.

City of Fredericksburg

Section 42-115. - Open Burning

- (a) It shall be unlawful for any person to burn trash, refuse, grass, rubbish, or debris or authorize any such fire to be kindled or maintained on any private land, yard, alley, field, street, or other open place within the corporate limits of the City. Any person may burn over any field or lot within the corporate limits when such burning is done with permission of and under the supervision of the Chief of the Fire Department, or one of his assistants, and it shall be the duty of the Fire Chief to supervise every such burning or direct one of his assistants to do so.

- (b) **Open burning** for the instruction of public or industrial employees in firefighting or emergency services may be permitted by the Chief of the Fire Department and is excepted from the provisions of this section.