



FIRE RESCUE

ALBEMARLE COUNTY

**Open-Air Burning
Certified Burn Program and
Yard Maintenance**



Problem Statement

- Open-air burning generates strong responses across the spectrum spurring constituent complaints and generating enforcement and remediation demands to the Board and ACFR.



FIRE RESCUE
ALBEMARLE COUNTY

Purpose of This Work Session

To choose the best implementation plan for the options identified by the Board during its January work session.

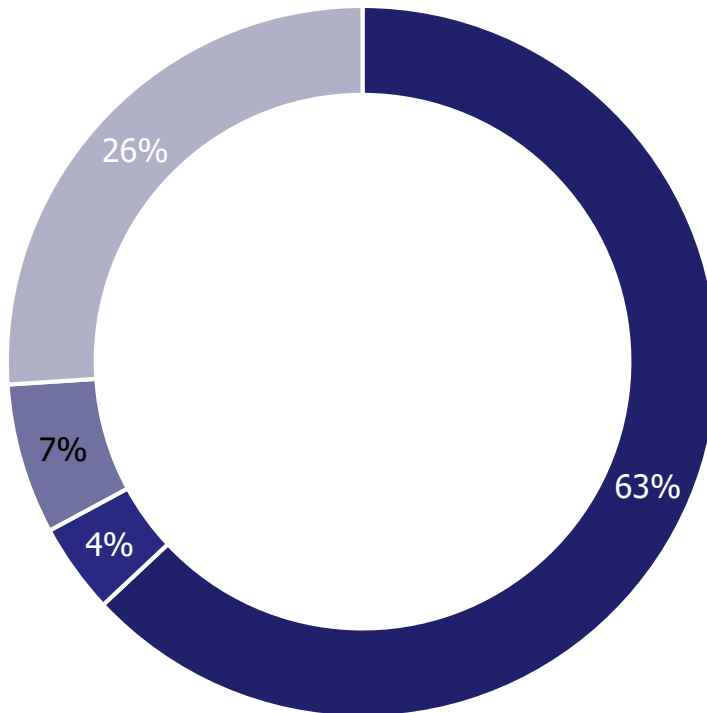


FIRE RESCUE
ALBEMARLE COUNTY

SCOPE OF THE PROBLEM



Complaints



- Over an 8 year period
- About 9 per year
- No violation found for majority

■ Commercial ■ Certified Burn ■ Yard Maint. ■ Other



FIRE RESCUE
ALBEMARLE COUNTY

Balancing Act

Rights of
those wishing
to burn

Rights of
those
impacted by it

Environmental
stewardship

Quality of
Life

Health &
welfare



FIRE RESCUE
ALBEMARLE COUNTY

SUMMARY OF OPTIONS



1:

- Increase distance of burn piles from structures

2:

- Eliminate the ability of neighboring property to provide permission for reduction of distance

3:

- Utilize time restrictions for open-air burning

4:

- Require a permit for all open-air burning



1: Adjust distance requirements of burn piles from structures

- Eliminates open-air burning in denser areas
- Minimal impact on staff capacity
- Will reduce open-air burning and related complaints



What Distance?

300 ft

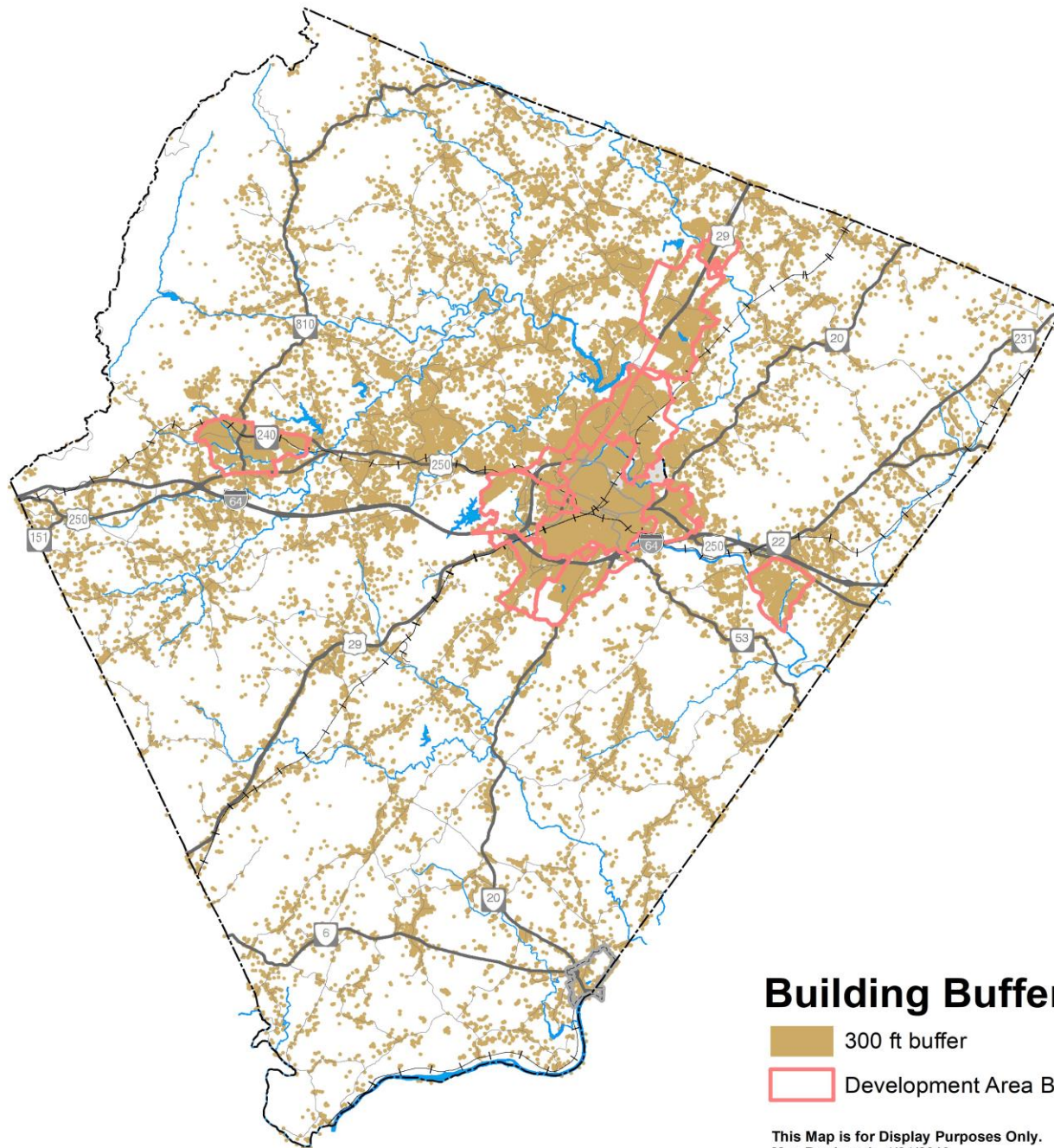
1 football field length

- Effective in dense/development areas
- Lesser impact in rural/larger parcel areas

500 ft

~2 football field lengths

- Effective in dense/development areas
- Greater impact in rural/larger parcel areas
- Impacts more of the county



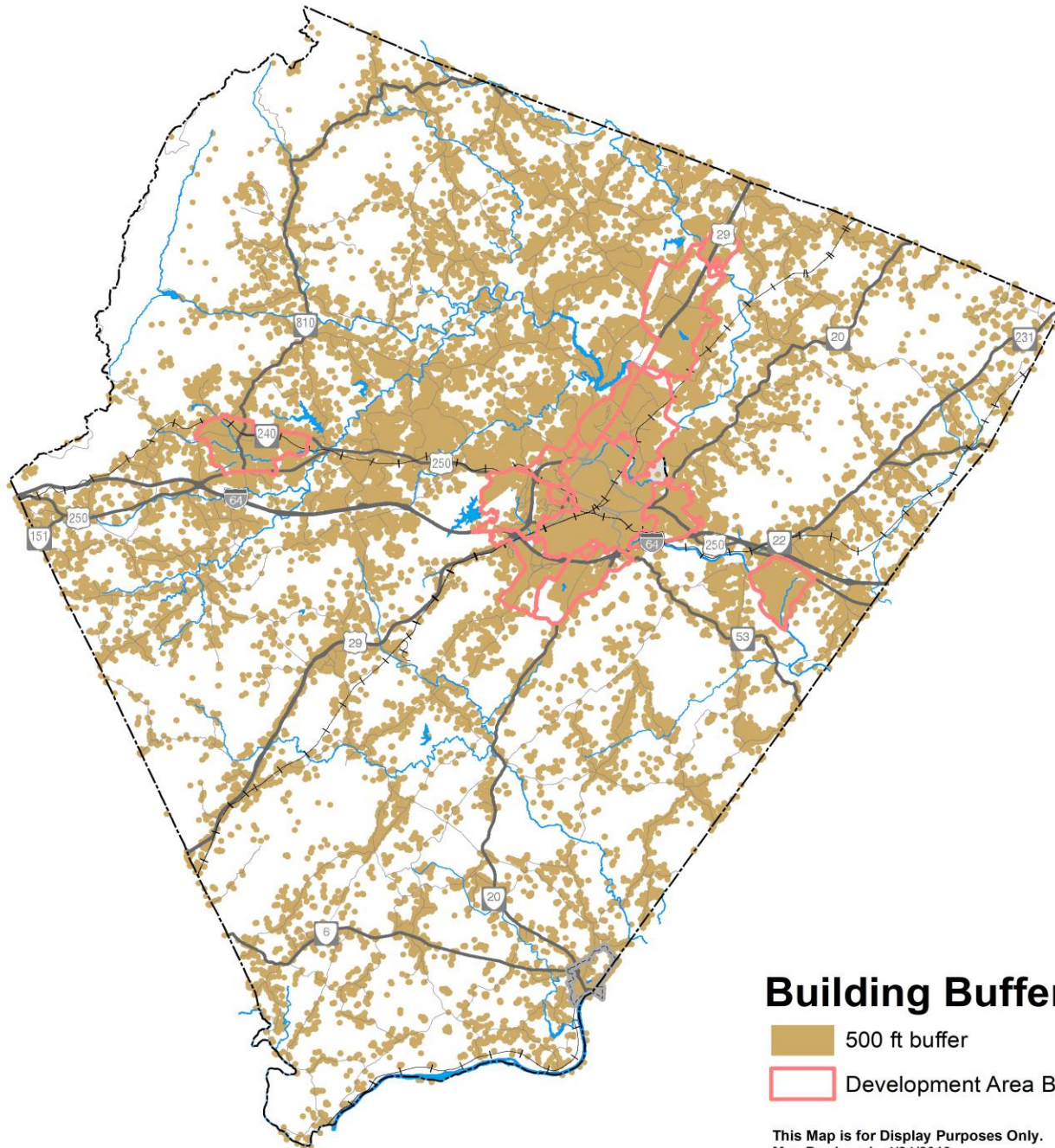
Building Buffers

-  300 ft buffer
-  Development Area Boundaries

This Map is for Display Purposes Only.
Map Produced: 4/24/2019

0 1 2 3 4 Miles





Building Buffers

-  500 ft buffer
-  Development Area Boundaries

This Map is for Display Purposes Only.
Map Produced: 4/24/2019

0 1 2 3 4 Miles





2: Eliminate the ability of neighboring property to provide permission

- Necessary for effectiveness of distance adjustments
- Eliminates pressure on neighbors to grant permission
- Minimal impact on staff capacity
- Will reduce open-air burning and related complaints



3: Utilize time restrictions for open-air burning

- Consistency with other open-air burning:
 - Mon - Fri, 8 am to 8 pm only
 - No burning Feb 15 - Apr 30 (Forestry Burn Ban)
 - Allows for planning by those effected
- Minimal to moderate impact on staff capacity
- Reduction of open-air burning and related complaints
- May be too restrictive:
 - Consider adding weekend



4: Require a permit for yard maintenance open-air burning

- Only burn type that does not require permit
- ~250 permits per year
- Previous discussion with Board demonstrated mixed opinions on this option



FIRE RESCUE
ALBEMARLE COUNTY

Permit Process for yard maintenance open-air burning

Education

Collection of
identifying
information/location

Display approved
permits on Public
GIS map



Expected Staff Time

Development – 173 hrs

- IT: – 20
- Education: 8
- Staff training: 50-75

Annually – 80 hrs

- Education 8-10
- Staff training 8-10
- Permit processing - 60



FIRE RESCUE
ALBEMARLE COUNTY

Additional Permit Considerations

Permit length

Fee

Impact to other FM initiatives under development



Violations – All Options

- **Any** violation of fire code is a criminal offense
 - Class 1 misdemeanor
 - Maximum of up to 12 months in jail and/or up to \$2500 fine
 - Generally, handled as a fine
- Civil Fees are not an option without legislative action



1:

- Increase distance of burn piles from structures

2:

- Eliminate the ability of neighboring property to provide permission for reduction of distance

3:

- Utilize time restrictions for open-air burning

4:

- Require a permit for all open-air burning



Summary: Specific Decisions

- Option 1:
 - Distance?
- Option 2:
 - Reduction of distance requirement allowed by right/permission or not?
- Option 3:
 - Utilize time restrictions (If so, what restrictions)?
 - M-F 8 am-8 pm?
 - Add weekend hours?
 - Ban during Forestry restrictions – Feb 15 through April 30?
- Option 4:
 - Permit duration?
 - Fee?



FIRE RESCUE
ALBEMARLE COUNTY

Discussion/Questions?

Howard Lagomarsino
Division Chief/Fire Marshal

Albemarle County Fire Rescue

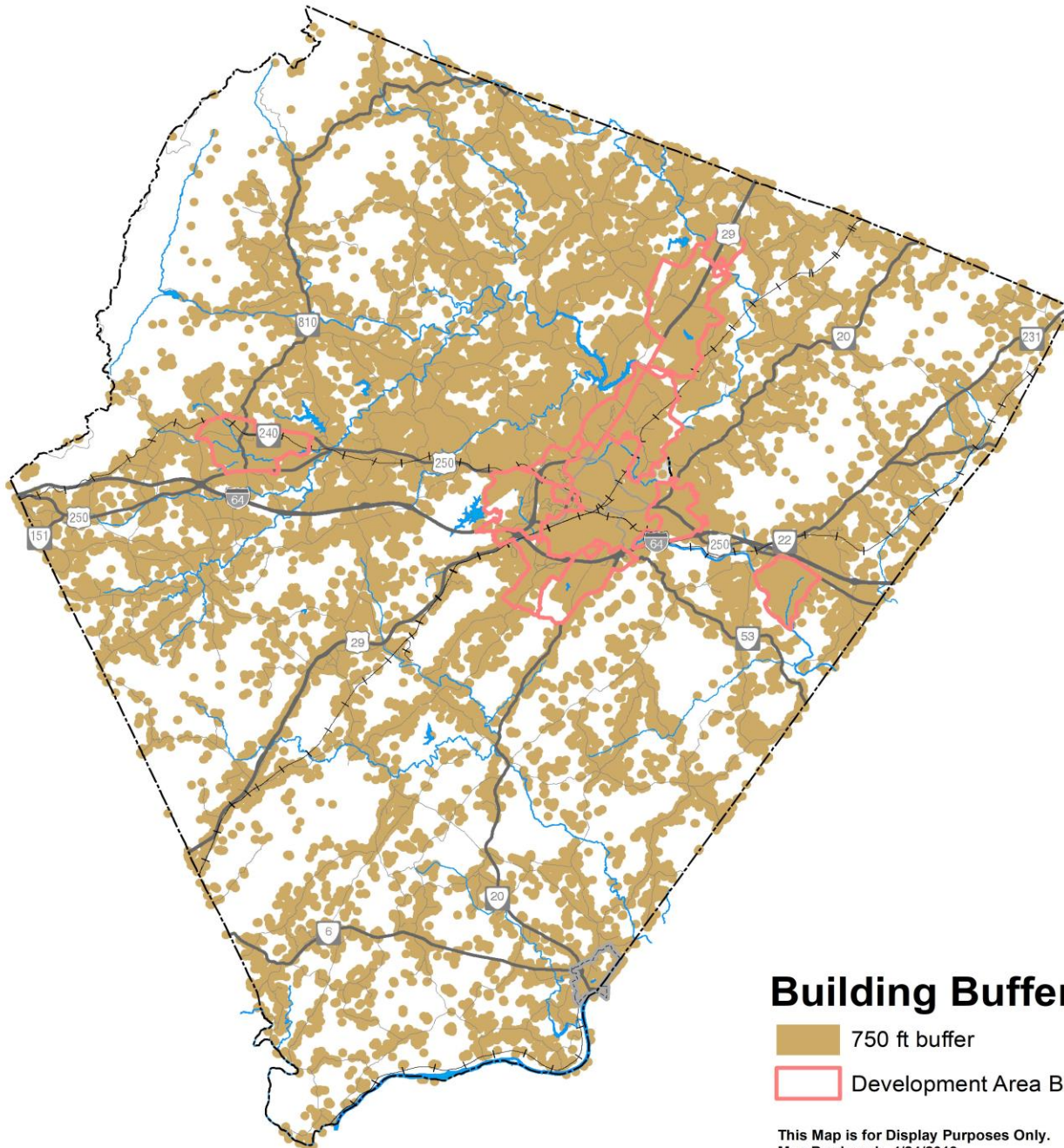
434-296-5833 X3377

hlagomarsino@Albemarle.org



Open-Air Burn Complaints Received by FM Office

Year	Commercial	CBP	Yard	Other	Year Total
2018	4	0	0	3	7
2017	12	0	0	0	12
2016	2	0	0	0	2
2015	3	0	0	1	4
2014	12	2	0	3	17
2013	9	0	1	6	16
2012	4	1	1	5	11
2011	0	0	3	1	4
Total:	46	3	5	19	73



Building Buffers

-  750 ft buffer
-  Development Area Boundaries

This Map is for Display Purposes Only.
Map Produced: 4/24/2019

0 1 2 3 4 Miles





What Are We Trying to Achieve?

- **Balance Between:**
 - Rights of those wishing to burn
 - Rights of those impacted by it
 - Environmental stewardship
 - Quality of Life
 - Economic impacts
 - Health and welfare
 - Quiet enjoyment of one's "space"



FIRE RESCUE
ALBEMARLE COUNTY

Certified Burn Program Open-Air Burning

- Larger tracts of land, and mainly in rural districts
 - Generally agricultural related properties
- Requirements
 - Educational training of best practices
 - Site approval/inspection
 - Non-transferable certification of site, location, and individual certification specific to that property
 - Permit required - valid for specific location on site for 12 months (any change = new process)





Current Regulations for Certified Burn Program

- In addition to Education Program, Site Approval and Permit
 - 300 ft from occupied structures, unless permission granted
 - 50 ft from wood-line or structures minimum
 - Means of extinguishment available
 - Attended at all times
 - Can involve debris waste from land clearing, so additional distances apply when it does



FIRE RESCUE
ALBEMARLE COUNTY

Yard Maintenance Open-Air Burning

- Property/yard maintenance
- Brush, leaves, grass trimmings, garden trimmings
- Generally residential, but includes other properties





Current Regulations for Yard Maintenance

- **No permit required**
- 300 ft from occupied structures, unless permission granted to reduce distance
- 50 ft from wood-line or structures minimum
- Means of extinguishment available
- Attended at all times



Unintended Impact of Distance Adjustment and Denying Reduction with Permission:

- Reduction on one's own property when burning?
 - Currently allows for the burner to reduce distance to 50 ft for structures on own property:
 - If we eliminate this potential increases safety
 - More restrictive
 - Potential to move piles closer to property line on larger tracts