



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.



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Purpose of This Work Session

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

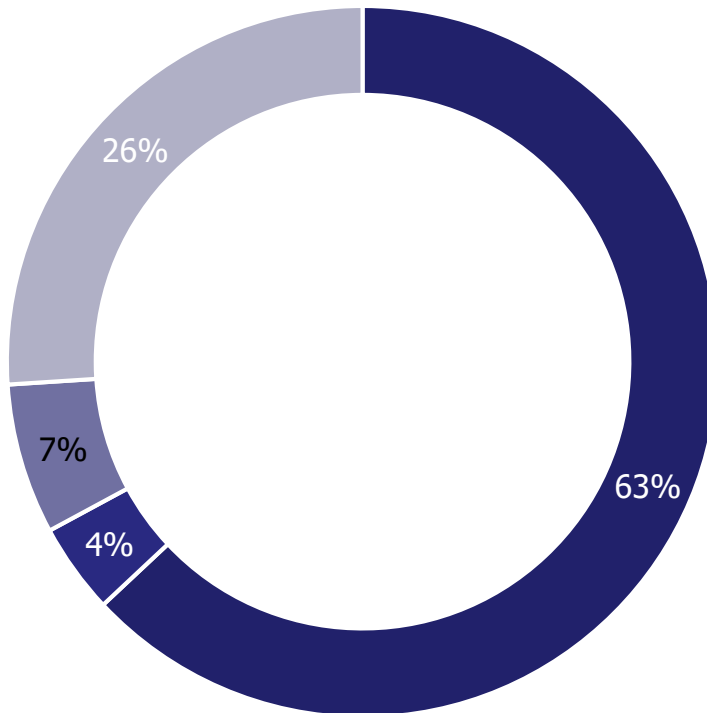


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SCOPE OF THE PROBLEM



Complaints



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

■ Commercial ■ Certified Burn ■ Yard Maint. ■ Other



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Balancing Act

Rights of
those wishing
to burn

Rights of
those
impacted by it

Environmental
stewardship

Quality of
Life

Health &
welfare



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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

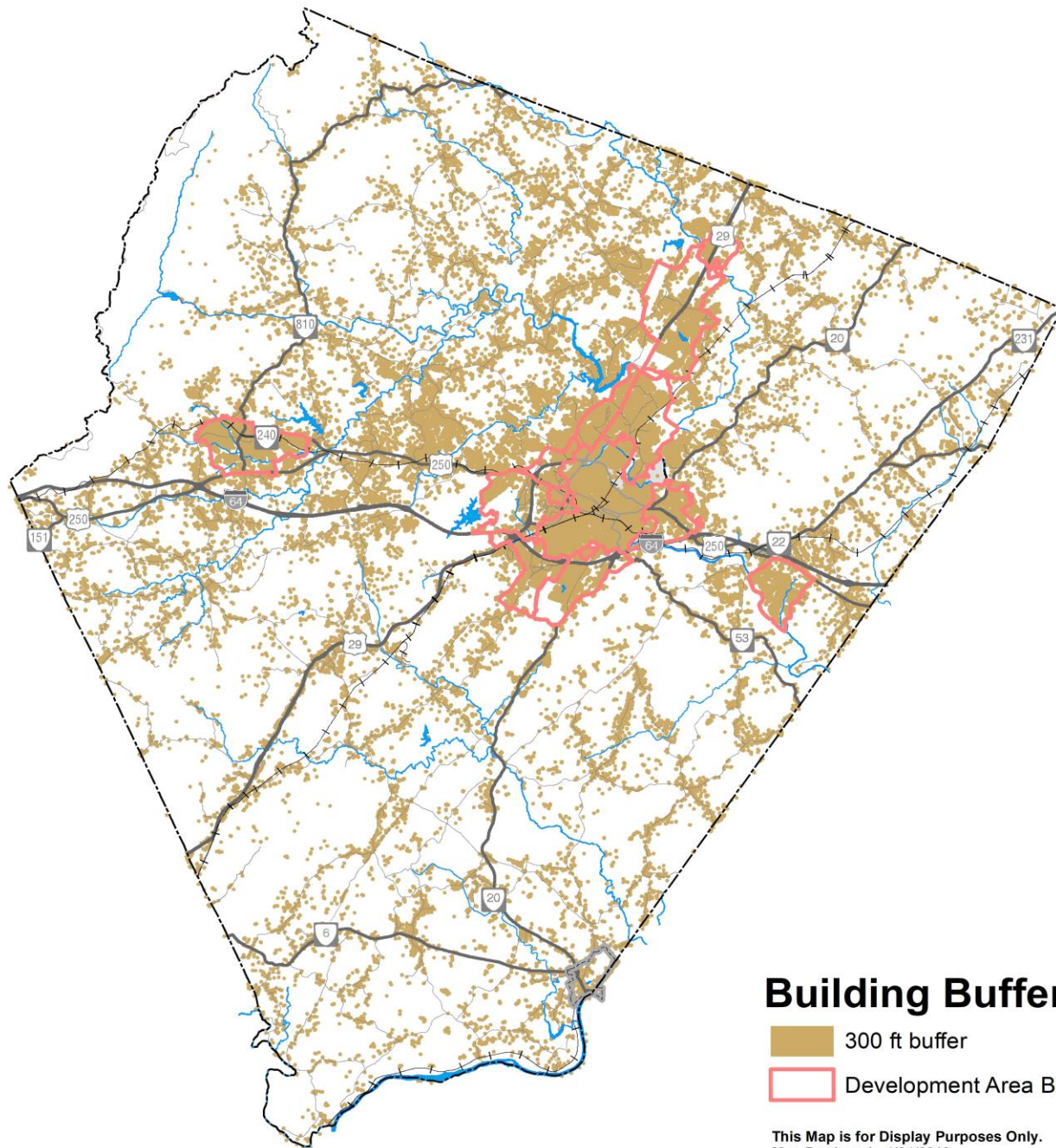
1 football field length

- 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



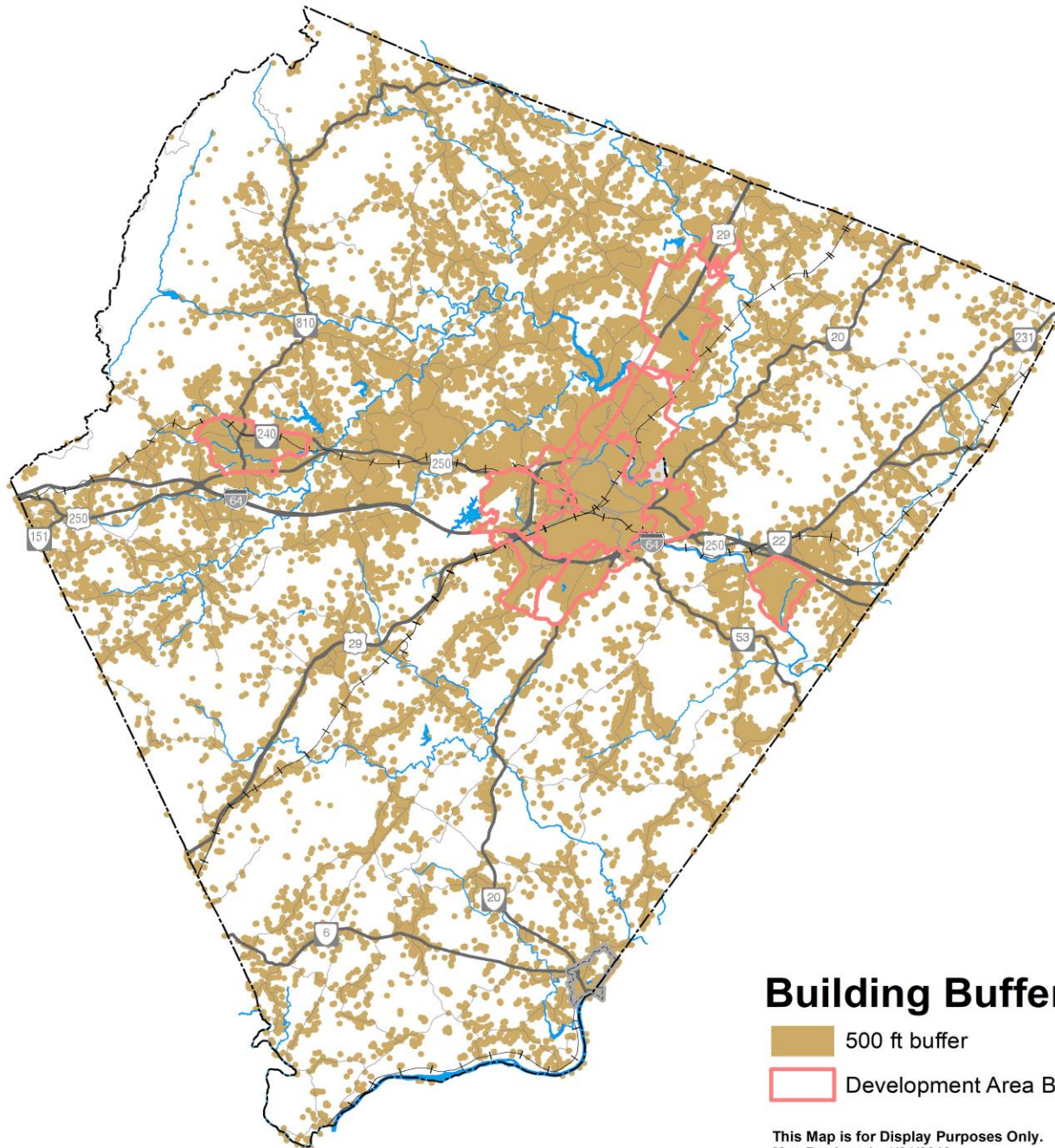
Building Buffers

-  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



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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



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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?



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Discussion/Questions?

Howard Lagomarsino
Division Chief/Fire Marshal

Albemarle County Fire Rescue

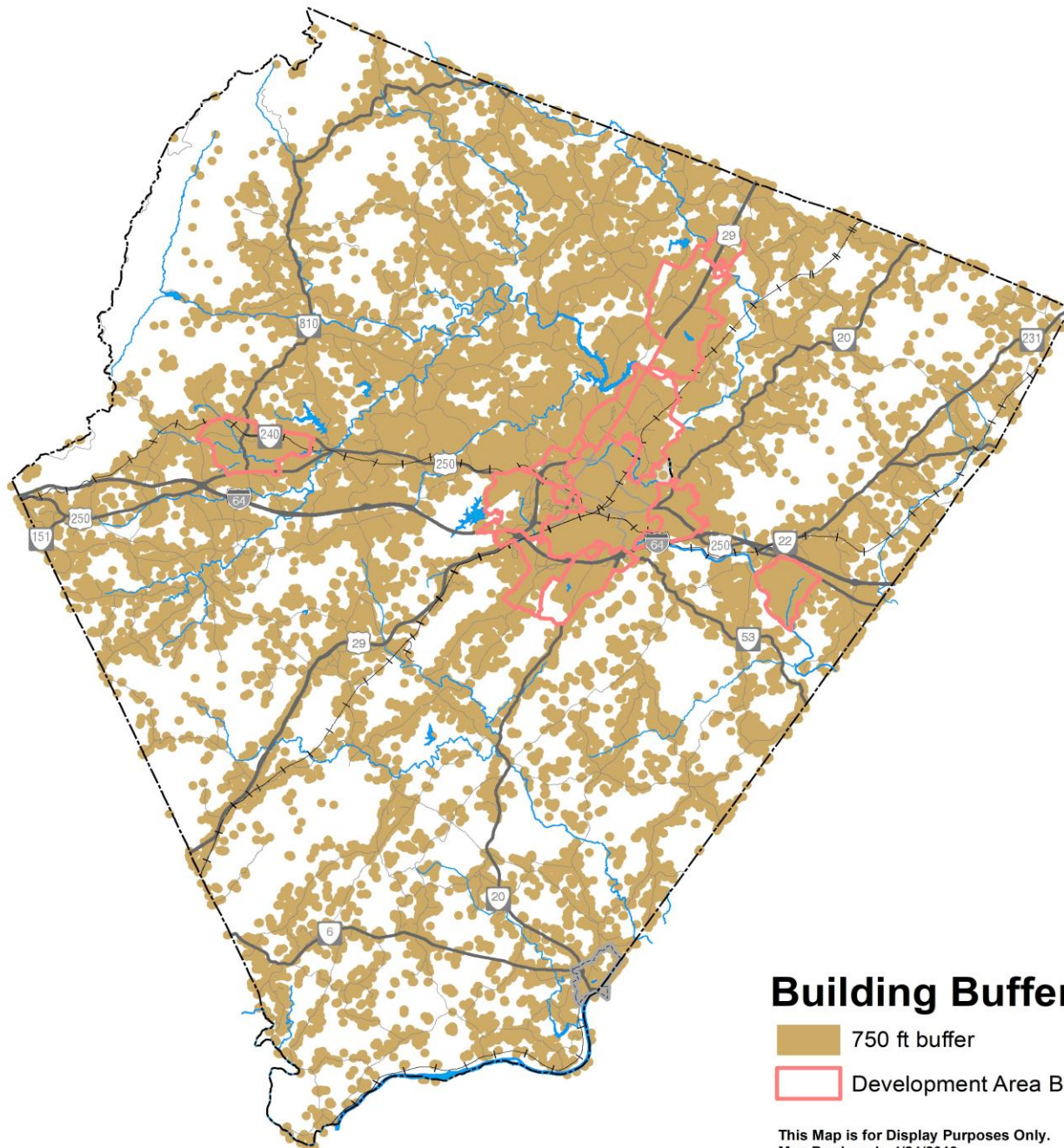
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Open-Air Burn Complaints Received by FM Office

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"**



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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)





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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



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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