



Albemarle County

Legislation Details

File #: 18-496 **Version:** 1 **Name:**

Type: Ordinance **Status:** Passed

File created: 9/11/2018 **In control:** Board of Supervisors

On agenda: 10/3/2018 **Final action:** 10/3/2018

Title: Open Air Burning Regulations for Land Clearing and Development Operations. To receive public comment on its intent to adopt an ordinance to amend Chapter 6, Fire Protection, Article IV, Burning of Brush, etc., of the Albemarle County Code. The proposed ordinance, authorized by 9 VAC 5-130-100, would amend the open burning regulations related to the development of land to: (i) authorize the Fire Marshal to order the extinguishment of an open burning operation when open burning creates or adds to a hazardous situation or when a required permit for open burning has not been obtained; (ii) clarify that open burning currently permitted on private property shall be limited to materials originating from the premises of the private property and that open burning currently permitted for the disposal of debris waste shall be limited to waste originating from and located on the premises; (iii) increase the required distance of a burning from an occupied building from 500 feet to 2,000 feet unless the occupants have given prior permission, or to 1,000 feet if a special incinerator device is used; (iv) require the approval of a written site and burn plan; (v) require proof of a minimum of \$1.5 Million in liability insurance; (vi) restrict burning completely during the Virginia Department of Forestry restriction from February 15 to April 30; (vii) restrict burning to Monday through Friday between 8 a.m. and 8 p.m. from May 1 through February 14 when the Virginia Department of Forestry has no burning restrictions in place; (viii) limit the number of burn permits allowed to three permits per parcel per year; and (ix) update the references to the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution.

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - June 6, 2018 Open Burn ES, 2. B - Proposed Ordinance

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------------|---------|--------|
| 10/3/2018 | 1 | Board of Supervisors | adopted | Pass |