



## Open Burning and Outdoor Fireplace Regulations

As a general principle, legal outdoor burning can be classified into three types: portable outdoor fireplaces, recreational fires, and cooking fires. See the differences below to make sure you're properly burning within the City's code for open burning and outdoor fireplaces.

### All Recreational and Portable Outdoor Fireplaces MUST...

- Be constantly attended and provided with a fire extinguisher, water hose, or water bucket that is available for immediate utilization.
- Only burn clean, dry, seasoned firewood. Household or yard debris is not permitted as a fuel.
- Not create a smoke hazard or nuisance.

### Portable Outdoor Fireplaces

Portable outdoor fireplaces (Examples: manufactured burn pans, manufactured burn pits, chimineas, or similar products) are legal within the City of Roanoke as long as they are being used in accordance with manufacturer's instructions and the following conditions:

- Must have a screen or mesh cover in place during operation.
- Must be located at least 15 ft away from a structure or combustible material when operated at properties other than one or two family dwellings. There is no minimum separation from one or two family dwellings as long as there is no evidence of a fire hazard.

### Recreational Fires

Recreational fires are defined as open burning where the fire is less than 3 ft in diameter and 2 ft in height (Example: campfire, man-made fire pit, or 55-gallon drum). Recreational fires are legal in the City of Roanoke as long as the following conditions are met:

- Must be located at least 25 ft from a structure or combustible material.
- All conditions that could cause a fire to spread within 25 ft of a structure must be eliminated. These conditions include the presence of dry grass, leaves, or other combustible materials.
- A 55-gallon drum or burn barrel is compliant with the definition of a recreational fire as long as it utilizes clean, dry seasoned firewood no greater than 2 ft in depth.

### Cooking Fires/ Grills

Fires used for cooking food within an approved device (grill or smoker) are legal. There are no restrictions on location of grills for one and two family dwellings. Grills are not permitted on apartment balconies unless the balcony is protect by an automatic sprinkler. Grills must be located at least 10 ft away from any combustible apartment or commercial building.

All other open burning is prohibited without a permit from the Fire Marshal's Office.

Section 307.3 authorizes the Fire Marshal to extinguish any fire that is illegal or creates a hazardous situation. The Fire Marshal delegates this extinguishment authority to any member of the Fire-EMS Department if a fire is not in compliance with the guidance described above.

Further violations may result in the issuance of a criminal summons for a Class 1 Misdemeanor, punishable by up to 12 months in jail and up to \$2,500 fine. A Fire Marshal may be called for any additional violations.

**For questions or to obtain a permit, please contact our Fire Marshal's Office at (540) 853-2759.**