

# Burning and the 4 p.m. Law

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What is the 4 p.m. Law?

The 4 p.m. Law is a ban (or restriction) on open air burning before 4 o'clock in the afternoon if your fire is within 300 feet of the woods or dry grass which can carry the fire to the woods. You are allowed to burn between 4 p.m. and midnight as long as you take proper care and precaution and attend your fire at all times.

When is the 4 p.m. Law in effect?

The law goes into effect on February 15th each year and runs through April 30th.

Why is there a 4 p.m. Law?

The 4 p.m. Law was adopted during the 1940's to reduce the number of wildfires which occurred each spring. During this time of the year, Virginia traditionally has an increased number of fires. During the winter months, winds are usually elevated, the relative humidity is lower and the fuels on the forest floor are extremely dry, having "cured" without having the tree leaves to shade them.

Why 4 o'clock?

After 4 p.m., winds usually calm down and the relative humidity levels are on the increase, both of which reduce the potential for a debris fire or any outdoor open air fire to escape your control.

What is the main cause of wildfires in Virginia?

Debris burning is the Number One cause of wildfires, closely followed by intentionally set or "arson" fires.

How many wildfires burn in Virginia each year and how many acres are burned?

Virginia has records which date back to 1925, and our 30 year average is 1,449 fires for 8,338 acres per year. 1941 saw the most fires with 3,697, and 1930 had the most acreage burned at 333,023 acres.

Can I have a campfire if I put rocks around it?

NO. Campfires are considered an open air fire. A pit fire or campfire may be approved if it meets ALL the following conditions: Fire is BELOW GROUND LEVEL, continuously monitored AND completely enclosed with cinder blocks AND a ¼" or smaller metal screen is placed over the enclosure. Extra precautions should be taken to clear a 20-foot circle of all flammable materials and have water and a shovel available.

If I take all precautions with my fire after 4 p.m. and it does escape and start a fire, am I responsible for the suppression cost?

Yes. Although you may have taken all proper precautions and obtained any locally required permits, whoever started the fire is responsible should the fire escape.

What is the penalty for violating the 4 p.m. law?

Violation of the 4 p.m. law is a class 3 misdemeanor with a fine of not more than \$500.

Can I use my charcoal or gas fire fired barbeque grill?

Yes, however you must take proper care and precaution by clearing all flammable material from around it and you must stay with it until it is completely extinguished or turned off.

Are building contractors and road construction jobs exempt from the 4 p.m. law?

No, however if the burning operations are greater than 300 feet from the woods or flammable grass/vegetation which would allow the fire to spread to the woods the 4 p.m. law does not apply