

COMAR 08.07.04 Forest Fire Protection

Authority: Natural Resources Article
§§5-209 and 5-604, Annotated Code of Maryland

Definition

For the purpose of this regulation, Open Air Burning is defined as a fire where any material is burned in the open, except small recreational fires such as campfires.

Application

This regulation applies to activities in woodland and within 200 feet of woodland, or activities adjacent to or within an area where flammable materials, that could ignite and carry fire to woodland, are located.

These regulations do not apply inside the limits of incorporated towns.

Open Air Burning

A. A person may not engage in open air burning except under the following conditions:

(1) There is a natural or constructed fire break at least 10 feet wide completely around the material to be burned that is free of flammable materials;

(2) Adequate personnel and equipment are present to prevent the fire from escaping;

(3) At least one responsible person remains at the location of the fire until the last spark is out; AND

(4) Burning occurs between the hours of 4 p.m. and 12 midnight, except that when the ground is covered with snow the burning may occur at any time so long as all other requirements are met.

B. A person may engage in open air burning, or prescribed burning, which does not comply with §A of this regulation, if the person has submitted a plan for that burning to the Department of Natural Resources for review and the Department has issued a permit for that burning. The Director, in his discretion, may require conditions in the permit which are more stringent or less stringent than the requirements in §A of this regulation.

C. In addition to the conditions and requirements in A and B of this regulation, a person engaged in open air burning or prescribed burning shall comply with all other requirements of State and local authorities having jurisdiction.

Burning Ban

Under prolonged or unusual conditions conducive to easy starting and spread of wildfire, the Director may declare a complete ban on all open air burning in woodland or in areas of flammable material likely to carry fire to woodland, through the state or in any specific area.

10 FIREWISE Tips for Homeowners

1. **Address** – Make sure your address is visible from the road, even at night.
2. **Yard** – Maintain a green lawn at least 30 feet around your house and buildings.
3. **Maintenance** – Keep roof, gutters and yard free of leaves and other debris.
4. **Access** – Clear driveway at least 12 feet wide and 14 feet high for emergency vehicles to reach your home.
5. **Decks** – Remove leaves and other flammable debris from under and around decks.
6. **Landscaping** – Use Firewise plants and mulch. Avoid ornamental grasses and evergreens within 30 feet of the home. Place landscape plants far enough apart to minimize fire spread.
7. **Foundation** – Clear flammable materials away from the house. Keep landscape plants at least four feet from the house.
8. **Outbuildings** – Also complete Firewise improvements for outbuildings and fences.
9. **House** – Choose fire-resistant materials such as masonry, aluminum, fiber cement board and asphalt shingles for renovations or repairs.
10. **Firewood** – Keep the firewood pile at least 30 feet from all buildings.



Wildfires

The Maryland Forest Service responds to 140 wildfires—97 percent of which are started by people—that burn 1100 acres annually. Debris or open-air burning is the leading wildfire cause in the state accounting for 30 percent of wildfire starts. [Based on 10-year average statistics.]

Open Burning Alternatives

- Recycle!
- Compost leaves and yard waste.
- Many jurisdictions accept brush that is then ground into usable mulch.
- Larger wood can be used as firewood.

Burning Tips

- Check current & expected weather.
- Don't burn on windy days.
- Have hand tools & water hose ready.
- Never leave a fire unattended.
- Burn at a safe distance from a house, shed or other structure.
- Check and follow all additional local and state regulations.



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Forest Service County Office Phone Numbers

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Anne Arundel	410-360-8421	Kent	410-819-4120
Baltimore	410-665-5820	Montgomery	301-854-6060
Calvert	410-535-1303	Prince George	410-360-8421
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OPEN AIR BURNING REGULATIONS

