

OUTDOOR BURN ORDINANCES

Please follow the laws regarding burning within Berkeley County and the City of Martinsburg. Click the links below for more information.

General Burning Guidelines:

1. All fires must have a ring or safety strip
2. The safety strip itself must be cleared of burnable material and be at least 10 feet wide, fully encompassing the debris pile.
3. Fire must be attended until completely extinguished.
4. Only vegetative materials such as leaves, brush and yard clippings are permitted to be burnt
5. Fines for forest fires due to negligence range from \$100 to \$1,000 with additional civil penalty of \$200.
6. Follow all burning season guidelines, which state that between March 1 and May 31 as well as October 1 through December 31, outdoor burning is prohibited during the daytime hours of 7 a.m. to 5 p.m.
7. If operating spark-throwing machinery such as power shovels or sawmills on land subject to fire, machinery must contain an adequate spark arrestor.
8. Inflammable waste disposal areas must annually remove all grass, brush, debris and other inflammable material adjacent to disposal areas to provide adequate protection, preventing the escape of fire to adjacent lands.
9. The State shall recover from the person or persons, firms or corporations whose negligence or whose violations of any provisions of this article cause ANY fire at ANY time on any grass or forest land in the amount expended by the State.
10. A landowner must take all practicable means to suppress ANY fire on his property. If he fails to do so, the State shall collect from him the amounts expended by the State for such purposes.

Fire Burning Guidelines [Berkeley County](#)

Fire Burning Ordinance [City of Martinsburg](#)

From the WV Division of Forestry (for more information click here:
wvforestry.com/fire-laws/)

To burn during prohibited periods for commercial burning, a permit must be obtained from the Division of Forestry.

5:00 P.M. BURNING LAW

**MARCH 1—MAY 31
5:00 P.M.—7:00 A.M.**

**OCTOBER 1—DECEMBER 31
5:00 P.M.—7:00 A.M.**

**MAXIMUM FINE: \$1,000.00
FOR VIOLATING THE BURNING LAW**

BURNING LAWS IN BRIEF

- * NO BURNING FROM 7 A.M. UNTIL 5 P.M.
- * FIRE MUST BE ATTENDED AT ALL TIMES
- * AREA MUST BE CLEARED DOWN TO MINERAL SOIL FOR A MINIMUM DISTANCE OF 10 FEET AROUND WHAT IS BEING BURNED.
- * IF YOUR FIRE ESCAPES, YOU ARE LIABLE FOR THE COSTS OF FIGHTING THE FIRE AND ANY DAMAGE THE FIRE MAY CAUSE TO OTHERS.

**WILLFULLY SETTING FIRES IS A FELONY AND PUNISHABLE
BY FINE AND/OR IMPRISONMENT!
(WEST VIRGINIA ARSON HOTLINE 1-800-233-FIRE)**

**SPONSORED BY: WV DIVISION OF FORESTRY
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