

# STATE FIRE PREVENTION COMMISSION

## BURN REGULATIONS

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### INTRODUCTION

The following regulations have been developed to assist a Fire Chief/Fire Department when performing a controlled burning for demolition or training purpose. These regulations also help insure that the property owner and neighboring property owners are informed of the necessary requirements for a burn to take place. Effective July 1, 1995.

### General Definitions

#### Fire Department

The Fire Department recognized by the Delaware State Fire Prevention Commission as having jurisdiction in a given area.

#### Fire Chief

The elected or appointed individual, their designee or the member of the department serving in that capacity.

#### Property Owner

The individual or individuals whose name appears on the title or deed to the property.

#### Emergency Dispatch Center

The designated Emergency Dispatch Center for the fire district in which the burn is to take place:

- New Castle County Fire Board
- Kent Center
- Sussex Base
- Rehoboth Center
- Seaford Center
- Milford Center

#### Neighboring Property Owners

The owners of any adjacent property or structures.

#### Necessary Permits

Those permits as required by the local, county or state regulations or laws.

#### Suitable Atmospheric Conditions

Weather conditions as determined by the Department of Natural Resources and Environment Control as suitable for open burning.

#### Water Supply Company

The local or county and/or private corporation that provides water necessary for fire protection to a given area.

### REGULATIONS

1. Property Owner should contact Fire Department to request the controlled burning.
  - Emergency Dispatch Centers shall refer all questions about burning of brush or buildings to Fire Chief of appropriate district.
2. The Fire Chief and/or property owner will obtain all approvals that are applicable and provide copies to the Fire Department.
  - Department of Natural Resources and Environmental Control
  - County Permits
  - City/Town Permits
  - Historical Society
  - Others as deemed necessary by the Fire Chief

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3. The property owner will provide the Fire Chief/Fire Department with written confirmation that the property is not insured for fire loss.

4. The Fire Chief will confirm that the property owner has notified all neighboring property owners of the burn. This notification should include an anticipated time and date when the burn will take place.

- The property owner will immediately notify the Fire Chief if a problem occurs.

- Should a neighboring property owner object to the burn, it will not be conducted until all objections are resolved.

- The Fire Chief may require written releases from neighboring property owners.

5. The Fire Chief will ensure that there is ample water and that suitable atmospheric conditions exist before ignition.

6. The Fire Chief will conform that the property owner has contacted the property utility companies for service disconnect:

- Electric
- Telephone
- Cable Television
- Sewer
- Water
- Gas

7. The property owner is responsible to contact the appropriate water supplier for permission to use water during the controlled burning.

- An existing agreement between the Fire Department and water supplier may eliminate this step.
- The Fire Chief will be provided with the name of the person and date the property owner made contact.

8. The Fire Chief and the property owner, prior to the burn, will mark the structure.

- Marking will be at the discretion of each fire department.

9. Prior to ignition, the Fire Chief will ensure that proper safety measures to protect the burn participants and neighboring property have been taken.

- A check list may be used.

10. Should the structure be used for training prior to or during burning, the Fire Chief will obtain a letter from the property owner authorizing this use.

11. The Fire Chief will notify the appropriate emergency dispatch Center prior to ignition.

12. Immediately prior to ignition, the Fire Chief will make a final inspection of the structure and surrounding area to check for any unsafe conditions or items that would prevent the burning.

13. Upon completion of the burn, the fire Chief will notify the Department of Natural Resources and Environmental Control the burn is completed.

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14. For any reason, should the Fire Chief feel the burn may not be conducted in a safe and proper manner, the Fire Chief/Fire Department shall have the authority to refuse to burn any property at anytime.

15. At the conclusion of the burn or training exercise, the Fire Chief shall turn the property back to the owner who is responsible for security.