

Health Matters

Requirements for Open Fires, Fire Pits, Bonfires and the License for Open Burning

What is an open fire?

An open fire is a fire in which material is burned in an open, outdoor area or in a receptacle without a stack or chimney. Items such as household trash, tires, roofing material and treated lumber are prohibited from burning in an open fire.

What types of open fires are allowed without a license by County Code?

The following types of open fires are authorized by County Code without a license.

Recreational Fires. Recreational fires, such as campfires, bonfires and backyard fires in fire pits, are allowed under County Code without a County license. Recreational fires are limited to 1 cubic yard or less of clean, natural wood.

Leaf Burning Fires. Burning of leaves is allowed in areas of the County where leaf collection service is not available. Leaf burning fires must be located at least 300 feet from dwellings, businesses or other areas where people work or congregate. Leaf burning is prohibited between June 1 and August 31.

Cooking Fires. Cooking fires are allowed under County Code for the purpose of cooking food on residential property for groups, gatherings and other events. Examples of cooking fires include: cooking hot dogs, hamburgers, whole pigs, deer or similar animals.

Space Heating Fires. A County license is not required where space heaters, salamanders or other similar devices are used to heat outdoor areas for workers, outdoor events, or inside buildings under construction that are open to the outside.

What measures must I take to minimize the effects of an open fire?

The property owner, the licensee or his agent is responsible for taking reasonable measures to minimize the amount of smoke, debris and other material generated by an open fire.

When is a County license required?

A County license is required when the size or type of open burn exceeds the requirements allowed under County Code. Examples include large-scale open fires for agriculture, recreational, religious or ceremonial purposes. Open burning licenses must be onsite during the burn operation.

How do I obtain a County license?

Applications and instructions for an open burning license are available on the Department of Health's website at www.aahealth.org. Open burning applications must be submitted to the Housing Protection Services Program 14 days prior to the open burn event at the address listed below.

Are there restrictions that apply to open burning?

The open burning license will list any specific restrictions that apply to the open burn. Permitted open burning must occur between September 1 and May 31. Exceptions may be granted for specific circumstances.

What constitutes a nuisance or a hazardous condition?

A nuisance or hazardous condition is determined when the amount of smoke, debris and other material from the open burning adversely affects neighboring or adjoining properties. The nuisance law applies to open burn operations that require a license and does not apply to open fires that are legally allowed under County Code. Enforcement of a nuisance condition caused by a recreational, leaf burning, cooking or space-heating fire that does not require a County license is regulated by the Maryland Department of the Environment (MDE).

How can I file a complaint?

For nuisance conditions caused by a licensed open burning, individuals may file a complaint with the Department of Health at 410-222-7192 or the Fire Department for open fires occurring after normal business hours. For nuisance conditions caused by an open fire that does not require a County license, individuals must contact MDE at 410-537-3215.

What if I fail to obtain a license?

If a property owner fails to obtain a license, this constitutes a violation of the Anne Arundel County Code, Section 11-5-103. The individual who starts, causes, allows or facilitates a fire without a license shall promptly extinguish the fire upon notice from the Department of Health, Fire Department or Police Department. An individual who violates the provisions of the County Code for open fires without a license is subject to enforcement undertaken by MDE.

Where can I get more information?

Housing Protection Services
Anne Arundel County Department of Health
Environmental Health Bureau
3 Harry S. Truman Parkway
Annapolis, Maryland 21401
410-222-7192