

WEST VIRGINIA FOREST FIRE LAWS

The periods of each year between March 1 and May 31, inclusive, and October 1 and December 31, inclusive, are hereby designated as Forest Fire Seasons.

No person shall during ANY such fire season, except between the hours of 4:00 p.m. and 7:00 a.m. prevailing time, set on fire or cause to be set on fire any forest land, or any grass, grain, stubble, slash, debris, or other inflammable materials. Any fire set during this time shall be extinguished prior to 7:00 a.m. prevailing time. Such prohibition of fires between 7:00 a.m. and 4:00 p.m. prevailing time shall not be construed to include (1) small fires set for the purpose of food preparation, or providing light or warmth around which all grass, brush, stubble, or other debris has been removed for a distance of ten feet from the fire, and (2) burning which may be conducted at any time when the ground surrounding the burning site is covered by one inch or more of snow.

No burning may be done unless all inflammable material has been removed from around the material to be burned as a safety strip for a distance which insures that the fire will not escape and which is not less than 10 feet. If fire escapes beyond the safety strip, the person responsible shall be guilty of a misdemeanor.

Before leaving ANY fire for ANY period of time, it must be totally extinguished.

Commercial permits to burn during the prohibited periods may be issued by the Division of Forestry.

All sawmills, power shovels, or an engine or machine capable of throwing sparks must be provided with an adequate spark arrestor if operating on land subject to fire by any cause.

All inflammable waste disposal areas on ANY land must annually have removed all grass, brush, debris and other inflammable material adjacent to such disposal areas to provide adequate protection to prevent the escape of fire to adjacent lands.

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 the amount expended by the State.

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.

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