



Department of Fire and Emergency Services
Division of Fire Prevention
John Fitch, Assistant Fire Chief/Fire Marshal

Open Burning within the City of Berkeley

Thank you for inquiring about outdoor fires in Berkeley. Questions involving open burning are often involved and complex. The fire code has to walk a very fine line to protect the public welfare while not violating individual rights.

When answering questions on open fires it is always helpful if there is some background information on the use and frequency of a proposed fire.

- Is it for a specific one-time event or will it be a regular occurrence? What type of event will it be and where is it going to be held?
- For private use on private property, fundraiser public event, for-profit commercial operation, etc?
- Where is it going to be held?
- In a single family residence, duplex, apartment building, commercial property, etc?
- Also, what part of town would the fire be in? During fire season the hills are typically off limits to open flame and during periods of drought it may be unwise to have fires even in the winter.

Under the fire code currently there are two main categories of open fires, “recreational fires”, and “open burning”.

A. Recreational Fires:

1. “Recreational fires” are defined as “An outdoor fire burning materials other than rubbish where the fuel being burned is not contained in an incinerator, outdoor fireplace, barbeque grill or barbeque pit and has a total fuel area of 3 feet or less in diameter and 2 feet or less in height for pleasure, religious, ceremonial, cooking, warmth or similar purposes”.
2. Fire Size. See the definition above. The area of a 3’ diameter fire is approximately 7 sq. ft. If the fire is built in a different shape (square, rectangular) its area shouldn’t exceed 7 sq ft and the largest dimension should be close to the 3’ size referenced in the code.
3. Fire Location. Recreational fires have to be at least 25’ away from structures or combustible material (this can include landscaping, storage, overhanging trees, fencing, etc). Any conditions that could cause a fire to spread to within 25’ of a structure shall be eliminated prior to igniting a fire (things like grass, tree litter/debris,

turf, etc). Note that combustible material such as turf/roots needs to be removed from the edge of the fire ring or pit so that only non-combustible, mineral soils are exposed to the heat of a fire.

B. Open Burning

1. Defined as any open fire that does not comply with the limitations of a Recreational Fire.
2. Permit. A fire department permit is required. This would be obtained through the Permit Service Center. In addition to a written plan often times a field inspection must be conducted by a Fire Inspector prior to the permit being issued.
3. Fire Location. Open burning has the same general restrictions as recreational fires, but the separation distance increases to a minimum of 50'.
4. If the fire is significantly different from a recreational fire there may be additional permit requirements imposed for attendance, such as a two, four or eight hour fire watch after extinguishment, etc.
5. Fire Fighting Equipment. The same general requirements as for recreational fires but if the size/shape/ fuel differs significantly from a recreational fire the party applying for the permit can expect to have significantly more stringent requirements for firefighting equipment imposed on the activity.
6. Permission. Specific written permission is required, but the permit application must be made by the property owner in person.

BBQs for Residential Applications

Thanks for inquiring about BBQs in Berkeley. The fire code regulates gas and other types of grills - they are allowed with specific requirements. The first item below is the basic fire code language. A BBQ resting on combustible decking must be at least 10 feet of all combustibles.

Please contact our office if you have specific questions at (510) 981-5585.

Sincerely,

John W. Fitch,
Assistant Chief/Fire Marshal