PROPOSED REGULATION ON OPEN FLAMES

CHAPTER 40
OPEN FLAMES ON CAMPUS

8VAC115-40-10. Definitions.

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

“Open flame” means any activity or device producing a flame, including, but not limited to candles, tiki torches, oil lanterns, butane burners, incense, campfires, bonfires, fire pits, and grills.

"University property" means any property, vehicle, or vessel owned, leased, or controlled by the College of William & Mary in Virginia, including the Virginia Institute of Marine Science.

8VAC115-20-30. Permit required for open burning and open flames; exceptions.

A. Open flames are prohibited on all university property, including within university buildings and facilities, except pursuant to a permit issued by the university.

B. Exceptions to the requirement for a permit are:
   1. Activities taking place within the scope of academic coursework when under the supervision of the relevant faculty member;
   2. Flames created for the transient purpose of lighting a cigarette, cigar, pipe, or similar smoking device, provided such activity is in an authorized location, is otherwise lawful, and the burning or smoking elements are safely and responsibly disposed; and


Persons seeking to ignite an open flame must apply to the office of Environmental Health & Safety (EH&S) for a permit to perform the activity. Permits may be issued for a one-time event or activity, or on a recurring or on-going basis.

Applicants must apply at least five working days in advance of the activity to ensure consideration. An applicant’s history of compliance with previous permits will be considered in a decision to grant a permit.

Persons granted permits are required to comply with all conditions of the permit.

8VAC115-40-40. Person lawfully in charge.

In addition to individuals authorized by university policy, College of William & Mary police officers and representatives of the Office of Environmental Health & Safety are lawfully in charge for the purposes of forbidding entry upon or remaining upon university property of those who are in violation of this prohibition.

8VAC115-40-50. Compliance with Policy.

Persons who fail to obtain a permit or to comply with its conditions are subject to arrest, and to prosecution under State law. Members of the university community are also subject to disciplinary action, including termination or expulsion.