

**DISTRICT OF COLUMBIA
FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT**

BULLETIN NO. 71

AUGUST 2006 (Revised)

Bulletin No. 71 revises and replaces Old Bulletin No. 22 issued January 1982.

The following is quoted from the District of Columbia Code for information of the Department:

**TITLE 22-CRIMINAL OFFENSES
CHAPTER 4-ARSON**

22:301 Definition and Penalty.

Whoever shall maliciously burn or attempt to burn any dwelling, or house, barn, or stable adjoining thereto, or any store, barn, or outhouse, or any shop, office, stable, store, warehouse, or any other building, or any steamboat, vessel, canal boat, or other watercraft, or any railroad car, the property, in whole or in part, of another person, or any church, meeting house, schoolhouse, or any of the public buildings in the District belonging to the United States or to the District of Columbia, shall suffer imprisonment for not less than one year nor more than ten years.

22:302 Burning One's Own Property With Intent to Defraud or Injure Another.

Whoever maliciously burns or sets fire to any dwelling, shop, barn, stable, store, or warehouse or other building, or, any steamboat, vessel, canal boat, or other watercraft, or any goods, wares, or merchandise, the same being his own property, in whole in part, with intent to defraud or injure any other person, shall be imprisoned for not more than fifteen years.

22:303 Malicious Burning, Destruction, or Injury of Another's Movable Property.

Whoever maliciously injures or destroys, or attempts to injure or destroy, by fire or otherwise, any movable property not his own, of the value of \$200 or more, shall be fined not more than \$5000 or shall be imprisoned for not less than one year and not more than 10 years, or both, and if the value of the property be less than \$200 shall be fined not more than \$1000 or imprisoned for not more than 180 days, or both.

22:304 Malicious Burning of Fences, Woods, Crops.

Whoever shall maliciously burn or set fire to any fences, woods, stacks of hay, grain, or straw, or growing crops, the property, in whole or in part, of another, shall be imprisoned for not more than thirty days or be fined not more than five hundred dollars, or both.

CHAPTER 11 - DISORDERLY CONDUCT22:1313 Kindling Bonfires.

It shall not be lawful for any person or persons within the limits of the District of Columbia to kindle or set on fire, or be present, aiding, consenting, or causing it to be done, in any street, avenue, road, or highway, alley, open ground, or lot, any box, barrel, straw, shavings, or other combustible, between the setting and rising of the sun; and, any person offending against the provisions of this section shall on conviction thereof, forfeit and pay a sum not exceeding ten dollars for each and every offense.

22:1319 False Alarm of Fire - Prosecution.

It shall be unlawful for any person or persons to willfully or knowingly give a false alarm of fire within the District of Columbia, and any person or persons violating the provisions of this section shall, upon conviction, be deemed guilty of a misdemeanor and be punished by a fine not exceeding one hundred dollars or by imprisonment for not more than six months, or by both such fine and imprisonment. Prosecutions for violation of the provisions of this section shall be on information filed in the police court by the Corporation Counsel of the District of Columbia or by any of his assistants.

22:4515a Manufacture, transfer; use, possession, or transportation of Molotov cocktails, or other explosives for unlawful purposes, prohibited; definitions; penalties.

(a) No person shall within the District of Columbia manufacture, transfer, use, possess, or transport a molotov cocktail. As used in this subsection, the term "Molotov cocktail" means: (1) A breakable container containing flammable liquid and having a wick or a similar device capable of being ignited; or (2) any other device designed to explode or produce uncontained combustion upon impact; but such term does not include a device lawfully and commercially manufactured primarily for the purpose of illumination, construction work, or other lawful purposes.

(b) No person shall manufacture, transfer, use, possess, or transport any device, instrument, or object designed to explode or produce uncontained combustion, with the intent that the same may be used unlawfully against any person or property.

(c) No person shall, during a state of emergency in the District of Columbia declared by the Mayor pursuant to law, or during a situation in the District of Columbia concerning which the President has invoked any provision of Chapter 15 of Title 10, United States Code, manufacture, transfer, use, possess, or transport any device, instrument, or object designed to explode or produce uncontained combustion, except at his residence or place of business.

(d) Whoever violates this section shall: (1) For the 1st offense, be sentenced to a term of imprisonment of not less than 1 and not more than 5 years; (2) for the 2nd offense, be sentenced to a term of imprisonment of not less than 3 and not more than 15 years; (3) for the 3rd or subsequent offense, be sentenced to a term of imprisonment of not less than 5 years and not more than 30 years. In the case of a person convicted of a 3rd or subsequent violations of this section, Chapter 402 of Title 18, United States Code (Federal Youth Correction Act) shall not apply. For purposes of imprisonment following revocation of release authorized by § 24-403.01(b)(7), the third or subsequent conviction for an offense defined by this section is a Class A felony.