

## A Review Ordinance to Control Open Burning

### Within the Unincorporated Areas of Newton County, Georgia

BE IT ORDAINED by the Board of Commissioners of Newton County, Georgia and it is hereby ordained by the authority of the same as follows:

Note: This Ordinance replaces any and all other Burn Ordinances to date. All copies of the old ordinances should be replaced and old copies destroyed.

#### Section 1

- A. **Restrictions and Procedures:** No person shall kindle or maintain any rubbish fire, or authorize any such fire to be kindled or maintained without first obtaining a permit to burn through the Newton County Fire Department. Upon calling, you will reach a recording system. Listen to the recording, then leave your name, address where the burn is to be take place, and telephone number. **This will serve as your burn permit authorization.**
- B. **Safety Precautions Required:** After obtaining a Permit to Burn, the following safety precautions shall be observed:
1. No persons shall kindle or maintain any bonfire or rubbish fire, or authorize any such fire to be kindled or maintained on any privately owned land, unless:
    - a. No building or structure shall be located within fifty (50) feet of the actual or proposed location of the fire and adequate provisions shall be taken to prevent a fire from spreading within fifty (50) feet of any building or structure.
    - b. The fire shall be contained in an approved waste burner located safely and not less than fifty (50) feet from any building or structure.
  2. Bonfires and rubbish fires shall be constantly attended by a competent person until such fire is extinguished.
  3. The person so attending the fire shall have adequate water supply and/or fire extinguishing equipment, readily available for use to control the fire.
- C. **Controlled Burns:** These restrictions will not in any way prohibit the use of “Controlled Burns” as an accepted agricultural practice on farmlands and in woodlands. However, the individual in charge of the controlled burn will obtain a permit as prescribed herein so that County Fire Agencies and Georgia Forestry will have knowledge of the date, time, and magnitude of the controlled burn. For large agriculture and land clearing burns, two permits are necessary. Caller should first call the local Forestry Office. If a permit is granted, the Forestry Office will also notify the Newton County Fire Service.
- D. **Burn Classification:** Each morning the Newton County Fire Service shall obtain from the Newton-Rockdale Forestry Unit the burn classification for that day. When responding to a request for a Permit to Burn, each individual requesting a Permit to Burn shall be advised whether that day is a “Burn” or “No Burn” day.

1. If the day is a "Burn" day, the recording will tell the requester to leave their name, address and telephone number and that will serve as their burn permit.
  2. When a Permit to Burn is not issued, the recording will tell the requester that due to unsafe conditions there will be no burning on that day. The requesting party shall be advised that burning without a Permit to Burn is a violation of this ordinance and subjects the party so doing to the penalties contained herein.
- E. **Construction Materials and Debris:** Construction and Demolition Debris shall consist of but not limited to treated lumber, plywood, OSB board, pallets, cardboard, siding, sheet rock, insulation, shingles, buckets, paint cans, carpet, wiring, foam board, etc.
1. Construction and Demolition Debris **cannot** be burned.
  2. Construction and Demolition Debris must go to a permitted landfill.
  3. Construction and Demolition Debris **cannot be buried on site.**
  4. Neither the Georgia Forestry nor Newton Fire Service can issue a Permit to Burn Construction and Demolition Debris.
  5. **Untreated, dimensional lumber may be burned in a burn container, if conditions under Section B. are met.**
- F. **Penalties:** Individuals in violation of this ordinance will be left to the discretion of the authority having jurisdiction, as to whether a warning or citation will be given. For each offense, each person convicted of violating this ordinance will be fined a minimum five hundred (\$500.00) dollars to a maximum one thousand (\$1000.00) dollars for the first offense. For the second and each subsequent offense, each person convicted of violating the ordinance, will be fined a minimum one thousand (\$1000.00) dollars to a maximum of two thousand (\$2000.00). In certain cases, individuals may also be charged under State and Federal Environmental Protection Agency and Forestry regulations.

## **Section II**

All ordinances or regulations or parts thereof in conflict herewith are repealed.

## **Section III**

This ordinance shall become effective and in force immediately upon adoption.

Adopted and approved by the Newton County Board of Commissioners on **18** day of **May 1999.**