

City of Havelock

Burning Rules and Regulations

- A. It shall be *unlawful for any person* or persons to burn any building materials rubbish, combustible rubbish, explosives garbage, industrial waste, refuse or trash within the city limits of Havelock **except** as and to the extent hereinafter provided. Permits are issued to the residents of one and two family dwellings and smaller commercial occupancies. Permits will not be issued and are not valid for commercial land clearing operations, subdivision excavation, or where prohibited by local or state or federal regulations.
- B. It shall be unlawful for any person or persons to burn any pine straw, tree leaves, tree branches or tree brush, hedge branches, limbs or cuttings, grass, clippings or any vegetative matter within the municipal limits of the City of Havelock **unless** a *written permit* to do so shall have been obtained and secured from the Chief of the Havelock Fire Department who shall issue a written permit only upon the following terms and conditions:
1. The fire shall be located on the permittee's privately owned property.
 2. The location of the fire shall be *at least 25* (twenty five) feet from any structure and adequate provisions shall be made to prevent the fire from spreading to within 50 (fifty) feet from any structure. No burning shall take place within *100'* (*one hundred feet*) of any L.P. gas tank on the permittee's property or other adjacent properties.
 3. The fire shall be constantly attended by a competent person, at least 18 years of age, until such fire is extinguished. The person *shall have a garden hose connected to an approved water supply on the permittee's property* or other fire extinguishing equipment approved by the Fire Chief, ready and available for his or her use.
 4. Initial burning shall commence between the hours of 8:00 a.m. and 3 p.m. No material shall be *added* to the fire after 3:00 p.m. to 11:00 p.m. All fires shall be extinguished after 11:00 p.m.
 5. The Chief of the Fire Department or *his designee* shall be afforded reasonable opportunity to make such on site inspections as he shall deem necessary to ensure compliance with the provisions here-of.
 6. The permission granted hereunder shall be subject to continuing review and this permit may be withdrawn at any time for any reason by the Fire Chief or his designee.
 7. The Chief of the Fire Department, or his *designee* shall order the extinguishing of, and may extinguish any fire not in conformity herewith or any other fire which in the *opinion of the official*, may endanger adjacent property or improvements thereon. Furthermore the Chief of the Fire Department or his designee may order the extinguishment of any fire due to changing or adverse weather conditions or other factors which would render the fire a hazard to health or property. Revocation shall also include any particular set of circumstances not originally perceived in the issuance of this permit.
 8. Compliance herewith, *shall not exempt of excuse* any permittee's from the consequences, damages, or injuries which may result from the burning permitted hereunder nor does it exempt or excuse any person from complying with all the applicable laws, ordinances, and regulations, orders of the North Carolina Environmental Management Commission, North Carolina Department of Forestry, or any other local, state, or federal agency having concerns in the issuance of such permit.
- C. The provisions of subparagraph A. and or B. above *shall not make unlawful* the burning of charcoal, wood, paper, or coal in a fireplace, stove, grill, or approved appliance for cooking or for heating the interior of a dwelling or other structure. Violations of any of these provisions may result in a citation being issued and or other legal action.