

AN ORDINANCE OF THE SUMTER COUNTY BOARD OF COMMISSIONERS TO ADD A NEW CHAPTER, CHAPTER 80 – FIRE AND RESCUE, TO THE CODE OF ORDINANCES OF SUMTER COUNTY, GEORGIA TO ENACT PROVISIONS PERTAINING TO FIRE PREVENTION AND OUTDOOR BURNING; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, as used in this ordinance, “County” means Sumter County, Georgia; and

WHEREAS, as used in this ordinance, “permit” means local permit number issued exclusively by Sumter County Fire & Rescue; and

WHEREAS, THEREFORE, BE IT ORDAINED by the Sumter County Board of Commissioners and it is hereby ordained by authority of the same that:

ARTICLE I. – IN GENERAL

Secs. 80-1 – 80-30. – Reserved.

ARTICLE II. – Fire Prevention and Outdoor Burning.

Section 1: WHEREAS, the County of Sumter by and through its governing body finds that there is a need to establish a procedure to deal with the problem of outdoor burning and the danger as well as the nuisance from the smoke it creates for citizens and visitors in the County of Sumter.

THEREFORE, the Board of Commissioners of Sumter County, Georgia has determined:

Sec. 80-31. - Fire on Public Property

- A) It shall be unlawful for any person to kindle or build a fire for any reason upon any sidewalk, street, or public property without the written permission of the Board of Commissioners and without written permission of the Sumter County Fire Chief or his designee.
- B) At any time the Sumter County Fire Chief or his designee shall have authority to order that any fire be extinguished if they determine the fire or smoke produced therefrom presents a danger to public safety, a nuisance or significant environmental harm.

Sec. 80-32. - Unlawful Burning

It shall be unlawful for any person to burn any material that is not allowed by State of Georgia law O.C.G.A. 12-6-90.

- A) No household garbage or man-made refuse or debris shall be burned.
- B) At any time the Sumter County Fire Chief or his designee shall have authority to order that any fire be extinguished if they determine the fire or smoke produced therefrom presents a danger to public safety, a nuisance or significant environmental harm.

Sec. 80-33 – Permits

- A) Any person(s) wishing to burn hand piled natural vegetation shall contact the Sumter County Fire Department at 229-924-6603 for a burn permit. All outdoor burning requirements required by the State of Georgia law must be adhered to. Per O.C.G.A 12-6-90, all listed requirements must be met before issuance of permit:
 - 1) Burn location must be no less than 25 feet from any woodlands, forestland or field that contains brush, grass or other flammable material;
 - 2) Burn location must be no less than 50 feet from structures, which includes homes, outbuildings, sheds and barns;
 - 3) Burning must take place between sunrise and sunset;

- 4) Person(s) responsible must attend burning at all times until fire is completely extinguished and there is no risk for burning to escape control;
 - 5) Person responsible must take reasonable and necessary precautions to prevent fire escape or spread from the original location. Continuous pressurized water source shall be on site.
- B) The Sumter County Fire Chief or his designee shall reserve the right to withhold permit issuance due to the following:
- 1) It is determined the material being burned is not of natural vegetative state
 - 2) Wind or weather conditions would pose a threat to public safety or environmental harm
 - 3) Fire breaks or barriers required, governed by size of material or pile being burned, are not in place.
- C) The following listed are EXEMPT from requiring a permit:
- 1) Cooking food for immediate human consumption shall be permitted
 - 2) Chimineas or outdoor fireplaces shall be permitted so long as they are used according to manufacturer's recommendations. Chimineas and outdoor fireplaces must have approved screen or spark arrestors. Untreated wood, manufactured fire logs, or charcoal shall be the only substances permitted to be burned in Chimineas or outdoor fireplaces.

Sec. 80-34 – Violations

Violations of this ordinance shall be punishable upon conviction by a fine of not more than \$1,000 unless otherwise determined by the Magistrate Court of Sumter County, Georgia. Each act in violation of this ordinance shall be considered a separate offense. The Sumter County Fire Chief or his designee is authorized to issue citations for violations of this ordinance which will then be tried in the Magistrate Court of Sumter County, Georgia.

So enacted this _____ day of _____, _____.

Board of Commissioners of Sumter County

By: _____

Mark Waddell, Chairman

Attest: _____

Latoya McCants-Rice, County Clerk