

§ 95.005 OPEN BURNING TOWN OF SOUTHERN PINES ORDINANCE

§ 95.005 OPEN BURNING.

(A) No person shall burn or cause to be burned outside of a building any materials, including leaves, pinestraw, and other waste material, unless:

(1) The burning meets all applicable NC Fire Codes and NC Division of Air Quality standards; and

(2) The purpose of the burning is to eliminate the by-products of land clearing activities; maintaining natural habitat, pest control, ceremonial, firefighter training, cooking/warmth; and

(3) The fire official in charge at the main fire station approves the burning.

(B) *Exception.* For the use at a 1 or 2 family dwelling, open burning in portable, outdoor fireplaces, chimneys or a fire pit is allowed without a burning permit if done in a container that is wholly constructed of non-combustible material, and meets the following requirements:

(1) Only natural firewood/commercial logs may be burned.

(2) All fire containers must be located away from any structure or combustible material.

(a) Belowground fire pits and freestanding fireplaces must be located a minimum of 25 feet away from any structure or combustible material.

(b) Portable devices must be located a minimum of 15 feet away from any structure or combustible material.

(3) The fire must be constantly attended and supervised until the fire has been completely extinguished.

(4) A portable fire extinguisher or other approved extinguishing equipment, such as a garden hose, must be readily available.

(5) A **FIRE PIT** includes belowground pits, freestanding fireplaces, and portable devices intended to contain and control outdoor fires. All belowground fire pits shall be at least 4 inches in depth and shall be surrounded on the outside, aboveground, by a non-combustible material such as steel, brick, or masonry. The fire pit cannot exceed 3 feet in diameter, nor may the fire pit exceed 2 feet in height. Fire pits may be used in accordance with the manufacturer's specifications and these regulations.

(6) Note: In all cases the fire official in charge is authorized to order the extinguishment by the responsible person, or the Fire Department, of any burning that creates or adds to a hazardous or objectionable situation.

(1989 Code, § 95.06) (Am. Ord. 511, passed 11-8-1994; Am. Ord. 1516, passed 8-13-2013)
Penalty, see § [95.999](#)