

Ordinance

BURNING

The burning of leaves, brush, trash or any refuse is prohibited within the corporate limits.

EXCEPTION: With permit, the burning of brush by commercial contractors clearing large open areas properly permitted by the Town of Jamestown and in accordance with local air quality burning regulations. Also with permit, burning of Bonfires and Camp Fires.

Conditions:

In the event atmospheric conditions are such as to make burning the above materials hazardous, the Applicant must not start the burning process: or if burning is in process, must cease the burning operation.

The following materials are not allowed to be burned: garbage, paper, cardboard. Tires, and other rubber products, building materials including lumber and wood scrapes, wire, plastics, and other synthetic materials, asphalt, shingles and other products with heavy oils, paints, household or agricultural chemicals.

At no time during the burning shall applicant fail to have the fire constantly attended by a competent person until such fire extinguished. Such person shall have a garden hose connected to water supply or other approved fire extinguishing equipment readily available for use.

Materials shall be burned in small piles, in a cleared area, at least 200 feet away from any structure.

No materials (trees, limbs, etc.) larger than 6 inches in diameter to be burned.

Failure to comply with the above requirements will result in revocation of permit.

A Fire Department representative may conduct a site-visit.

Permit:

Permit Cost is \$25 and must accompany completed application.

Permit must be available on-site at the time of burning.

Enforcement:

Where there is a violation of any provision of this ordinance, the Town, at its discretion, may take the following enforcement actions:

- (1) A Law Enforcement official may issue a citation as provided herein, subjecting the violator to a \$100.00 civil penalty to be paid within 10 days, which penalty may provide for an additional \$100.00 delinquency charge upon nonpayment, and which penalty and delinquency charge may be recovered by the Town in a civil action.
- (2) A misdemeanor warrant may be issued immediately or upon the issuance of a citation and the violator's refusal to pay the same. Misdemeanors shall be punishable by a fine of \$50.00 or imprisonment not exceeding 30 days in accordance with North Carolina General Statutes, section 14-4.
- (3) The civil penalties imposed by this section and the proceeds therefrom as collected by payment, civil action or otherwise, shall belong to the Town and shall be paid into the general fund of the Town under such conditions as prescribed by the annual budget.

Each separate day of a continued violation shall be a separate and distinct offense and shall give rise to a separate and distinct penalty.

This ordinance, shall become effective from after its passage as by law provided.

Adopted October 19, 2004.

Enforcement:

Where there is a violation of any provision of this ordinance, the Town, at its discretion, may take the following enforcement actions:

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BURNING PERMIT

Application is hereby made by the undersigned for a permit to burn the following materials:

- o Contractor's open burning for land clearing or right-of-way maintenance
- o Bonfire
- o Camp Fire

To be burned at _____
(Address)

This permit valid _____
(Date)

I understand and consent to the above stipulated conditions upon which this permit is granted.

Applicant (Print name)

Fire Captain (Jamestown Department)

Applicant signature

Address

Phone Number

Town Manager