

## Chelaque Estates Homeowners' Association Open Fire Procedure

### I. General – Information

- A. Chelaque is proud to be designated as a “Firewise” community. As such, we are committed to maintaining the natural environment of our wooded areas and homes safe from the threat of wildfires. Important information, including the Chelaque Estates Evacuation Plan and Firewise community emergency contacts can be located via the Chelaque HOA website ([www.chelaqueestates.com](http://www.chelaqueestates.com)) by clicking on the “Firewise” tab.
- B. Regulations for open-air fire burning and Tennessee Wildfire law enforcement are published by the Tennessee Department of Agriculture Division of Forestry. Additional information can be accessed online at [www.agriculture.tn.gov](http://www.agriculture.tn.gov).
- C. Burn permits are required from October 15 through May 15. Anyone starting an open-air fire within 500 feet of a forest, grassland, or woodland must by law secure a burn permit from the Division of Forestry.
  - 1. Online burn permits are free and can be easily obtained on the day of burn, any day of the week, from 8 AM to 11 PM (CST) at [www.BurnSafeTN.org](http://www.BurnSafeTN.org) for leaf and brush piles and campfires. These permits are good for one day only and expire at midnight. (Note; larger applications such as land clearing, used by contractors may require calling the Tennessee Department of Agriculture, Division of Forestry at 423-345-2147).
  - 2. If local conditions are not appropriate on the day of the burn permit request, the online system may restrict or disallow the permit issuance. Additionally, and if appropriate a formal burn ban may be issued area or statewide by the Division of Forestry. During any burn ban, burn permits will not be issued and such bans prohibit **ALL** forms of open-air fires, including outdoor cooking fires and campfires, as well as charcoal or wood fired grills and burn barrels. Burn bans will be posted at the [www.BurnSafeTN.org](http://www.BurnSafeTN.org) website “Burn Bans” tab.
  - 3. Whether required by permit or not, it is unlawful for any person who originates or uses an open fire to leave such fire unattended without totally extinguishing the same within 150 feet of forest or woodlands or other inflammable materials.

### II. Open Fire Process for HOA Common Areas

- A. Prior to starting any open-air fires in Chelaque, first verify no burn ban is in effect and verify that local weather conditions support outdoor burning.
- B. BBQ stands are located at the Pavilion area for community use. State issued open fire burn permits are not required for the BBQ stands, and they may be used unless a burn ban is in effect.

- C. An open-air fire-pit is also located at the Pavilion area for community use unless a burn ban is in effect, and subject to the following additional requirements;
  - 1. An online burn permit will be obtained from Oct 15<sup>th</sup> through May 15<sup>th</sup> by the person designated to be responsible for the fire. Either print out the state-issued permit page or save it as a screen-shot if obtained using a cellphone. As a minimum, write down the permit number.
  - 2. The fire must be attended at all times, and fully extinguished – no light or flame - prior to leaving (and not later than midnight). Additionally, if available replace the ½ inch wire mesh screen over the fire-pit as an additional measure of safety.
- D. Any other open-air fires on HOA common areas, such as for leaf and debris burning or land clearing are prohibited, unless specific permission of a CHOA BOD member has first been obtained, and subject to the above permit and use requirements, as appropriate.

### III. Response Actions and Consequences

- A. Any unintended open fire within the common area should be immediately reported to the local Fire Department by calling 9-1-1. The 9-1-1 service will use the Reverse Phone Call System to inform registered community members of the alert when required. The individual reporting a fire should also contact the BOD President, or another BOD Member should the President be absent from Chelaque Estates. The individual calling the fire department should monitor the situation until the fire department arrives.
- B. To report illegal burning (such as reckless or unattended fires), please call toll free 1-888-891-TDEC. Penalties for unlawful burning are outlined in the TN Wildfire Laws document put out by the TN Department of Agriculture Division of Forestry. The document can be downloaded at [www.tnwildlandfire.gov](http://www.tnwildlandfire.gov).
- C. Fire damage to any CHOA Common Areas will be investigated by the BOD Legal Committee Chairperson.
  - 1. Damage claims will be submitted for CHOA maintained insurance coverage for Common areas, subject to limitations.
  - 2. Should damage be determined to be resultant from a fire originating on a homeowner's lot, the homeowner's liability insurance becomes primary payor. As appropriate, claims for Homeowner or Contractor Liability insurance coverage will be coordinated with the HOA Legal Representative, and in consultation with the HOA Insurance provider if necessary.