

CITY OF RINCON
STATE OF GEORGIA

ORDINANCE NUMBER #

38

AN ORDINANCE TO AMEND CHAPTER 38 FIRE PREVENTION AND PROTECTION OF THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF RINCON, GEORGIA, TO PROVIDE REGULATIONS FOR OUTDOOR BURNING WITHIN THE CITY; TO PROVIDE SEVERABILITY, TO REPEAL CONFLICTING ORDINANCES, AND FOR OTHER PURPOSES.

WHEREAS, the duly elected governing authority of the City of Rincon, Georgia is authorized by O.C.G.A. §36-35-3 to adopt ordinances and resolutions relating to its property, affairs, and local government; and

WHEREAS, the City of Rincon currently has regulations governing outdoor burning of debris within the City; and

WHEREAS, the City has received complaints from citizens regarding debris from outdoor burning and the impact of such debris on buildings, vehicles, property within the City; and

WHEREAS, outdoor burning raises safety concerns if the burn pits are left unattended, and

WHEREAS, the City Council desires to alleviate the environmental and safety issues that arise with respect to burn pits, and the outdoor burning of debris within the City.

NOW THEREFORE, THE MAYOR AND COUNCIL OF THE CITY OF RINCON HEREBY ORDAINS, in a regular meeting assembled and pursuant to lawful authority thereof, establish the following changes to the Ordinances of the City of Rincon:

Section 1. The Ordinances of the City of Rincon are amended as follows (additions double underline, deletions are shown with strikethrough):

CHAPTER 38. – FIRE PREVENTION AND PROTECTION

ARTICLE IV.- OUTDOOR BURNING, OR BURYING

- (a) Garbage, rubbish, hydrocarbons and other restrictions. The burning of garbage, rubbish, automotive tires and tubes, asphalt shingles, PVC pipe, insulation, treated lumber, adhesives, shale oil, nitro-cellulose, combustibile liquids and other products manufactured from derivatives of petroleum is prohibited. The use of hydrocarbons to start or fuel a fire

is prohibited. The burying of garbage or rubbish is prohibited except for burying in a designated landfill as approved by the authority having jurisdiction.

- (b) *Garden trash, yard debris or brush.* The burning of garden trash, yard debris, and brush is prohibited between the dates of May 1st through September 30th of each year in the City of Rincon. Also, no burning will be allowed on Sundays at any time of the year. Persons may only burn garden trash, yard debris, or brush collected within the boundaries of the lot upon which the garden trash, yard debris, or brush are being burned. There will be no collecting of garden trash, yard debris, and brush in the City of Rincon's ditches. There will be no burning in the ditches in the City of Rincon. No burn pile of garden trash, yard debris, or brush shall be larger than six feet in diameter by two feet high. There shall be no more than two burn piles of garden trash, yard debris, or brush on one lot at a time and there shall be ten feet between burn piles.

- (c) *Outdoor burning is authorized without a permit for cooking or entertainment purposes.* Cooking must take place on charcoal, gas, or wood grill or pit. Entertainment fires (fire pits) must utilize either a commercially available pit or a pit constructed to contain the fire. Fire pits must be no larger than four (4) feet in diameter and be located at least 50 feet from any combustible structure. Burn barrels are not considered commercially available fire pits. Entertainment fires may only utilize wood as fuel. No leaves, pine straw, or other yard waste is permitted to be burned as fuel for cooking and entertainment fires. All cooking or entertainment fires in a pit must be always attended by a competent person 16 years of age or older until the fire is fully extinguished. Residents must follow safe practices, such as having a hose, bucket of water, fire extinguisher, or rake shovel available to control the fire. Residents must also adhere to any order to suspend outdoor burning due to weather or environmental concerns issued by the City, County, or State governments.

- (d) *Special Events.* For special occasions where outdoor cooking takes place in a manner other than the utilization of an approved grill such as social functions which include campfires for cooking, or any other similar cooking activity, and other bonfires, campfires and similar activities, the person in charge of the activity must obtain the authorization through the office of the Fire Chief.

- (e) *Monitoring and enforcement.* The fire department will monitor burning access compliance and safety and environmental requirements and will investigate complaints and reports of violations. For any fires found not to be complying, fire department personnel may require the correction of the deficiency or direct extinguishment of the fire, as they judge appropriate. In no case should burning be allowed to continue in the fire officers' judgments smoke or other particles of combustion are likely to enter

openings in someone's home, or become a hazard to someone's property, or if the fire is causing other discernable adverse effects. Failure to follow any of these rules and regulations noted above may result in a verbal warning, or citation as outlined in Section 1 of this ordinance. Citations may be issued by the code enforcement officer and the police officers under the direction of the Fire Chief, Fire Marshall, or fire department operations officer.

(f) Implementation. The fire chief is authorized to publish rules, regulations and procedures to implement the above requirements for controlled burning.

Section 2. Repeal. All ordinances or parts thereof which conflict with the provisions of this ordinance are, to the extent of such conflict and except as hereinafter provided, hereby repealed.

Section 3. Severability. If any section, clause, sentence or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity or lawfulness of the remaining portions of this ordinance.

Section 4. Scrivener's Error. In the event any scrivener's errors are found after the passage of this, the City Clerk, in consultation with the City Attorney, is authorized to make such corrections to the Ordinance to give effect to the intent of the Mayor and Council as expressed in passage of this Ordinance.

Section 5. Effective Date. This ordinance shall be in full force and effect upon its official adoption by the City Council.

SO ORDAINED this ____ day of _____, 2026.

CITY OF RINCON

Kevin Exley, Mayor

ATTEST: _____
Dulcia King, City Clerk