



# Greenville County and South Greenville Fire District Burning Regulations

## County Ordinance 2990 15-6 Adopted June 17, 1997

**In South Carolina, burning has been a common way to get rid of leaves and tree limbs, to clear farm lands, and to manage wildlife areas. However, smoke from open burning can pollute the air and cause health problems. That is why there are State laws to limit outdoor burning.**

Greenville County has adopted ordinance 2990 15-6 on the usage of outdoor burning, as to regulate what, where, and when the citizens of Greenville County can conduct outdoor burning. The ordinance is based on the principle of keeping all citizens safe from unauthorized burning and healthy from air pollution.

This also complies with DHEC's ordinance # 61-62.2 & 61-62.4. You/ Your (Company) can be fined \$1025.00 if you are found to be in violation of the ordinance after having received a WRITTEN WARNING from South Greenville Fire District and a copy of said Ordinance.

Proper notification should be given to the local fire department and the state forestry commission anytime someone will be burning. Notify South Greenville Fire District at **243-5650** and also notify the state forestry commission, the phone number to them is **1-800-986-5299**. This is an automated system that will take your name, address and phone number. After you do this then you can burn.

## **OUTDOOR BURNING WITHIN RESIDENTIAL AREAS.**

(a) **Definition.** “Platted residential subdivision” shall mean a large scale division of a tract or parcel of land into 5 or more lots for residential purposes, which has been granted final approval by the Greenville County Planning Commission, which has been subsequently recorded, and which is located in the urban jurisdiction area of the subdivision regulations.

(b) **Prohibition.** It shall be unlawful for any person to kindle or maintain any open burning or authorize any such fire to be kindled or maintained within a platted residential subdivision or zoned area, with the exception of the R-S, Residential Suburban Zoning District, in Greenville County or within 200 feet of a platted residential subdivision or applicable zoned area in Greenville County, except as provided below:

(1) The burning must be located not less than 50 feet from any structure and adequate provision is made to prevent the fire from spreading within 50 feet of any structure; and

(2) The burning must be constantly attended by a competent person until such fire is extinguished. Such person shall have a garden hose connected to a water supply, or other fire extinguishing equipment readily available for use. Proper notification shall be given to the state forester or his duly authorized representative or other persons designated by the state forester. The notice shall contain all information required by the state forester or his representative. The burning must be conducted in accordance with all applicable laws and regulations including, but not limited to, DHEC Air Quality Regulations 61-62.2 and 61-62.4 and state statute S.C. Code, § 48-35-10 *et seq.*; and

(3) All burnings must be extinguished by **3:00 p.m.** and no burnings shall be permitted between 3:00 p.m. 1 day and 9:00 a.m. of the following day with the exception of fires in connection with the preparation of food for immediate consumption, or campfires and fires used solely for recreational purposes(must be extinguished by 11:00 pm), ceremonial occasions, or human warmth and those fires where the time parameters are already regulated by Department of Environmental Control Regulation 61-62.2.

(c) **Authority to prohibit permitted turnings.** The official charged with the administration and enforcement of this section may prohibit open burning that is

otherwise authorized by this section when atmospheric conditions, local circumstances or other conditions exist that, in the sole determination of such official, would make such fires hazardous.

(d) **County roads and drainage rights-of-way.** Open burning shall be prohibited on all Greenville County roads and drainage rights-of-way or within an area that may cause damage to any Greenville County road or drainage right-of-way.

(e) **Inapplicability.** The provisions of this section do not apply to the following:

(1) Vegetative debris burning related to forestry, wildlife, and agricultural burns authorized by the South Carolina Forestry Commission.

(2) Any burning in connection with the preparation of food for immediate consumption, or campfires and fires used solely for recreational purposes, ceremonial occasions, or human warmth, so long, as such burnings is performed in a safe manner.

(3) Fires set for the purposes of training public fire-fighting personnel when authorized by the appropriate governmental entity, and fires set by a private industry as a part of an organized program of drills for the training of fire-fighting personnel. These will be exempt only if the drills are solely for the purposes of fire-fighting training and the duration of the burning is held to the minimum required for such purposes. Prior approval is required only for sites which are not established training sites.

(f) **Hazardous or toxic materials.** The burning of hazardous or toxic materials shall not be permitted under any circumstances.

(g) **Liability.** Any burning authorized by the provisions of this ordinance shall not relieve the individual responsible for such burning from any civil or criminal liabilities which may occur as a result of such burning.

(h) **Conflicts.** In the event any conflict may arise between the provisions of this ordinance and any state law, the provisions of state law shall prevail and be controlling.

(i) **Penalties.** Any person, firm, corporation or agent, who shall violate the provisions of this section shall be guilty of a misdemeanor and shall be punished within the jurisdictional limits of magistrate's court. Each such person, firm, corporation or agent shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this ordinance is committed, or continued.

(j) ***Administration and enforcement.*** The provisions of this ordinance shall be administered and enforced by the fire chief or his/her designated representative, in whose area the burning occurs. In the event such burning occurs in an area that is not the responsibility of any fire chief, then, in such event, the provisions of this ordinance shall be administered and enforced by the Greenville County fire official.

(1976 Code, § 15-6) (Ord. No. 2990, §§ 1-7, 9-11, 6-17-97; Ord. No. 3201, §§ 1-7, 9-11, 1-19-99)

***South Greenville Fire District's Annex***

- A) Winds during the time of the burning must be away from any area in which the ambient air may be significantly affected by smoke from the burning if that area contains a public roadway or a residential, commercial, or industrial site.
- B) No more than two piles of 30'x30' or equivalent may be burned within a six-acre area at one time.
- C) Open burning on the property where it occurs of construction waste from building and construction operations will be exempt only if the following conditions are met:
  - 1. The location of the burning is at least 500 feet from any occupied structure other than the dwelling or structure located on the property on which the burning is conducted;
  - 2. The burning is conducted only between the hours of 9:00 am and 3:00pm of the same day.
  - 3. Items not to be burned: Heavy oils, asphaltic materials, or items containing natural or synthetic rubber.
- D) Open burning may be conducted in certain situations if no undesirable levels are or will be created. The authority to conduct open burning under this regulation does not exempt or excuse the person responsible for the burning from the consequences of or the damages or injuries resulting from the burning and does not exempt or excuse anyone from complying with other applicable laws and with even though the burning is otherwise conducted in compliance with this regulation.
- E) The Department reserves the right to impose other or different restrictions and exemptions on open burning in addition to those enumerated above, whenever in the judgment of the Department such is necessary to realize the purpose of this regulation. A written report or warning to a person of a violation at one site shall be considered adequate notice of the regulation and subsequent observed violations at the same or different site will result in appropriate legal action.
- F) The official charged the administration and enforcement of these regulations may prohibit open burning that is otherwise authorized by these regulations when atmospheric conditions, local circumstances or other conditions exist that, in the sole determination of such Official, would make such fire hazardous.

## **It is Illegal to open burn:**



Household garbage and trash

Paper

Motor and waste heating oils

Asphaltic Materials

Tires and other rubber products

Building Materials, unless untreated lumber at a construction site

Plastics

Paints

Household Chemicals

Agricultural Chemicals

Electrical wire or any material for its metal content

### **The following types of fires are ALLOWED by state law, but local laws may prohibit them:**

Burning of yard waste such as leaves, grass, weeds, and tree trimmings grown on the property where it is burned

Campfires and fires for recreational purposes

Outdoor fires to cook food

Fires for control of agricultural diseases, weeds and pests, plant overgrowth, or land clearing following rules acceptable to DHEC

Planned burning of forests to decrease impact of wildfires (prescribed burning)

***Remember! When lawfully burning materials outdoors, a smoke nuisance must not be created. Fires from land clearing operations must be at least 1000 feet from public roadways and other occupied structures.***

