

**CHAPTER 92: FIRE PREVENTION**

92.01 Adoption of Fire Code

**Statutory reference:**

**Establishment of fire limits, see G.S. § 160A-435**

**Restrictions within fire limits, see G.S. § 160A-436**

**92.01 ADOPTION OF FIRE CODE.**

The most current edition of the State Fire Code is hereby adopted by reference as fully as though set forth herein as the fire prevention code for the town. An official copy of the code shall be kept on file in the office of the Town Clerk.

**92.02 OPEN BURNING REGULATED.**

- (A) Burning is prohibited on Sunday.
- (B) Burning is prohibited within the right-of-way and in any ditches.
- (D) Fire is to be constantly attended by a competent adult person, 18 years of age or older, until such fire is extinguished. The person attending the fire shall have a garden hose connected to a water supply or other fire extinguishing equipment readily available for use at the fire location.
- (E) The Town of Cooleemee Fire Chief and/or the Davie County Fire Marshall may prohibit the issuance of any or all outdoor burn permits when atmospheric conditions or local circumstances make burning hazardous.
- (F) Nothing shall be burned that will give off toxic fumes such as rubber tires, paint, plastics, etc.
- (G) Fire will be extinguished if wind speed is in excess of ten miles per hour.

(H) If rental property, written permission from property management or the owner is required, prior to issuance of a burn permit.

(I) Burning hours are 8:00am until at least one hour before sunset as defined by the official Sunset Times.

(J) Burning shall be allowed only during daylight hours. No fires shall be started prior to 8:00 AM. All fires must be completely extinguished, with no smoldering one half hour before official Sunset.

(K) All other open burning for the disposal of material generated as a result of a natural disaster, such as tornado, hurricane, flood, or other purpose shall be in accordance with the regulations as set forth in North Carolina Administrative Code, Title 15A, Chapter 2D, Section 1903.

(L) All trees, stumps, brush, and other vegetation resulting from clearing of land for roads, building lots, houses, and other buildings shall not be burned or buried in the Town but shall be removed from the Town and properly disposed of.

(M) Applicant hereby agrees to fully indemnify the Town of Cooleemee, the Fire Official, and the Town's elected and appointed officials, agents and/or employees against all liability, damages, loss, claims, demands, costs and attorney's fees proximately resulting from any

outdoor burning pursuant to this permit, whether or not such burning complies with the conditions set out above.

### **92.03 BURNING OF STRUCTURES REGULATED.**

Due to the close proximity of dwellings and other structures as well as any potential hazard to adjoining properties and structures within the Town, the intentional burning of any structure is hereby prohibited.

### **92.04 VIOLATIONS AND PENALTIES**

Any person found in violation of Section 92.02 shall be issued a civil citation and Fifty Dollar (\$50.00) penalty by a Town Police Officer. Any person found in violation of 92.03 shall be issued a civil citation and Five Hundred Dollar (\$500.00) penalty by a Town Police Officer. The violator will immediately cease the violation. Due to the nature of such violations, a notice of violation is not required to be mailed or issued to the violator and no additional time is required to be given. In addition to the remedies provided herein, any violation of the terms of this chapter shall subject the violator to the penalties and remedies, either criminal or civil or both, as set forth in Section 10-99 of the Code of the Town of Cooleemee.