

ORDINANCE NO. 992

AN ORDINANCE OF THE CITY OF CHIPLEY, FLORIDA, PROVIDING FOR AN AMENDMENT TO CHAPTER 16 OF THE CITY CODE, RELATING TO OPEN BURNING, REGULATIONS; PROVIDING FOR SEVERABILITY, CONFLICTS, AND FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Chipley, Florida has determined that it is in the best interest of all of the citizens and residents of the City that the provisions of Chapter 16 of the Code of the City of Chipley be amended, relating to open burning regulations and code enforcement, in accordance with this ordinance;

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF CHIPLEY, FLORIDA:

Section 1. Chapter 16 of the Code of the City of Chipley is hereby amended to provide as follows (additions are shown by underline and deletions are shown by strikethrough):

Sec. 16-6. Open burning.

~~Open burning without a permit is prohibited. It shall be unlawful for any person to burn in the open without a permit from the city fire chief.~~ Open burning of natural products such as yard debris shall be allowed in the city limits. Burning of unnatural material such as plastics, oil, tar, rubbers, garbage etc. is prohibited. The term "open burning" or "burn in the open" shall mean any outdoor fire or open combustion of material which produces visible emissions, but shall not mean the use of charcoal or gas grills for cooking.

Open burning containers must meet all the following safety conditions:

- a. Be set back twenty-five (25) feet from any wildlands, brush, or combustible structure;
- b. Be set back fifty (50) feet from any paved public roadway, and one-hundred;
- c. Be set back fifty (150) feet from any occupied building other than that owned or leased by the individual doing the burning; and
- d. Be enclosed in a noncombustible container or a pile no greater than eight feet in diameter. Burn piles or areas larger than 8 feet in diameter shall comply with Florida forest Service regulations.

(Code 1987, § 7-11; Ord. No. 868, § 2(7-4.1), 9-12-2006)

Florida Administrative Code 62-256.700.

Section 2. Additional Information. City employees or citizens requiring additional reference for open burning regulations may access a State-provided handout at the following link: <https://floridadep.gov/air/air/documents/open-burning-regulations-fact-sheet>.

Section 3. Severability. If any section or portion of a section of this ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to impair the validity, force, or effect of any other section or part of this ordinance.

Section 4. Repealer. That all ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed and revoked. The provisions of the Code of Ordinances of the City of Chipley shall be amended to include the foregoing, with the Chapter and Section numbers as indicated above.

Section 5. Effective Date. That this ordinance shall become effective immediately upon its passage and adoption.

INTRODUCED on first reading at a regular meeting of the City Council on March 11, 2025.

PASSED after second reading at a regular meeting of the City Council on April 8, 2025.

CITY OF CHIPLEY, FLORIDA

ATTEST:

Tracy L. Andrews, Mayor

Sherry Snell, City Clerk

APPROVED AS TO FORM:

Michelle Blankenship Jordan
City Attorney