



Staff Report

Subject: Amendment to Open Burning Ordinance
Author: Jennifer Rose, Planner I
Department: Development Services – Planning & Zoning
Meeting Date: January 20, 2026

Proposed Zoning: N/A
Existing Zoning: N/A
Map & Parcel: County-wide application
Parcel Size: N/A
Proposed Use: The proposed ordinance amendments will be used to regulate open burning activities throughout Effingham County by providing clear standards for permitting, operation, enforcement, and coordination with State agencies.
Applicant: Effingham County Board of Commissioners
Owner(s): Effingham County
Location: County-wide

Background:

The proposed amendments are intended to update and consolidate regulatory standards related to open burning, align County requirements with guidance from the Georgia Forestry Commission (GFC) and the Georgia Environmental Protection Division (EPD), and provide clearer authority for enforcement and public safety decision-making. These revisions are based on operational experience, public safety considerations, and best practices observed in comparable jurisdictions.

The Proposed Amendments:

The proposed ordinance amendments are designed to:

- Clarify definitions and applicability related to open burning activities, including development-related burning, residential burning, agricultural and prescribed burns, and Air Curtain Destructor (ACD) operations;



- Establish clear weather, safety, setback, and operational standards to reduce wildfire risk, smoke impacts, and visibility hazards;
- Strengthen nuisance and enforcement provisions to allow timely response to unsafe or non-compliant burning;
- Improve coordination with State permitting, notification, and authorization requirements administered by the GFC and EPD;
- Clarify and strengthen the Authority Having Jurisdiction (AHJ)'s authority to suspend or prohibit open burning when conditions present a risk to public safety or air quality.; and
- Enhance consistency, predictability, and fairness in the review and enforcement of open burning activities countywide.

Determination:

Based on staff review, the proposed amendments are consistent with the County's responsibility to protect public health, safety, and welfare, while remaining compatible with applicable State laws and regulations. The amendments provide clearer standards, improve enforceability, and support responsible land management and development practices. Collectively, these updates enhance the County's ability to regulate open burning activities in a manner that reduces risk, protects sensitive receptors, and promotes coordinated compliance with applicable State agency requirements.

Conditions for Consideration:

The proposed amendments strengthen public safety and quality-of-life protections by reducing wildfire risk, smoke impacts, and roadway visibility hazards through clearer operational, weather, and setback standards. They improve consistency and enforceability by clarifying authority, defining violations, and supporting cost recovery for unlawful burning. The updates also align County practices with Georgia Forestry Commission and EPD requirements, providing clearer expectations for residents and development activity while supporting responsible growth countywide.

