

**TOWN OF EDISTO BEACH
AN ORDINANCE TO AMEND SECTION 42-5
OF THE TOWN'S CODE OF ORDINANCES**

**Amend Section 42-5 of the Town's Code of Ordinances
Fire Prevention and Protection**

Sec. 42-5. - Recreational Fires.

Definitions:

Rubbish Fire: fire used to burn garbage, landscape waste or any other waste material.

Recreational Fire: fire used for pleasure, cooking, warmth, or ceremonial purposes in compliance with the provisions below.

Fire Suppression Equipment: fire extinguisher, outdoor water hose connected to a water source.

Approved Outdoor Fire Feature: a constructed or manufactured device, structure, or area designed to safely contain and utilize fire for recreational purposes in an outdoor setting. This term includes, but is not limited to, fire pits, fire bowls, chimineas, outdoor fireplaces, and other similar fire containment devices, whether portable or permanently installed. Outdoor fire features are distinct from open burning, rubbish fires, or land-clearing fires, as they are specifically designed to restrict flames within a controlled and enclosed space.

No person shall kindle or maintain any outdoor Rubbish Fire within the town limits. No person shall kindle or maintain a Recreational Fire on the sandy beach or any other public property unless a permit is secured from the fire department. No person shall kindle or maintain a Recreational Fire unless it is located on private property and in accordance with the provisions below. The issuance of any required permit is based solely at the discretion of the fire chief or his designee, and the provisions here within.

(a) General. Fires allowed by this section shall not include Rubbish Fires. Fuel for a Recreational Fire shall consist only of dry, seasoned firewood and shall be ignited with a small quantity of paper. No accelerants are to be used to ignite the firewood. Recreational Fires may be permitted only under the following conditions.

1. Constant supervision of the fire must be maintained from the time it is kindled until it is extinguished.
2. Fire Suppression Equipment must be located onsite and immediately available.
3. Fire must be located and contained in an Approved Outdoor Fire Feature.

(b) Location Restricted. A person shall not kindle or maintain any Recreational Fire or authorize any such fire to be kindled or maintained unless: the fire is contained in an Approved Outdoor Fire Feature located safely not less than fifteen (15) feet from any structure, fire shall not be

more than (3) feet in diameter and (2) feet in height of pile size, and no open flame shall be permitted on any wooden deck or enclosed area and not permitted under any residence or structure.

1. Placement Under Trees. Recreational Fires shall not be kindled, maintained, or authorized under the canopy of trees or within areas where overhanging branches, leaves, or vegetation could be ignited by rising embers or heat. A minimum clearance of fifteen (15) vertical feet shall be maintained between the highest point of the Approved Outdoor Fire Feature and any overhead combustible vegetation. The Fire Official may require greater clearances if conditions present an elevated fire hazard.

(c) Permanent location. The location for any permanent, in-ground recreational Approved Outdoor Fire Feature shall not be less than 15 feet from any structure (habitable or accessory), combustible materials (wooden fences, deck, play structures, etc.) and all property lines.

(d) Prohibited Recreational Fires. The Fire Official may prohibit any or all Recreational Fires when atmospheric conditions or local circumstances make such fire hazardous, or which are or could be offensive or objectionable due to smoke or odor emissions. The Fire Official shall order the extinguishment of any Recreational Fire, which creates or adds to a hazardous or objectionable situation.

(e) Beaches. See Sec. 10-39. - Fires prohibited.

This ordinance shall take effect upon final reading.

W. Crawford Moore, Jr., Mayor

ATTEST:

Donna Rizer, Municipal Clerk

First Reading: September 11, 2025

Second Reading: _____

Approved as to form: _____