

TEMPORARY OUTDOOR BURNING RESTRICTION DUE TO DROUGHT CONDITIONS

RESTRICTIONS OF LANIER COUNTY, GEORGIA, TO TEMPORARILY LIMIT OUTDOOR BURNING DUE TO DROUGHT CONDITIONS

WHEREAS, Lanier County has experienced prolonged dry weather with conditions indicative of drought and elevated wildfire risk; and

WHEREAS, the safety, health, property, and welfare of citizens, natural resources, and first responders are at risk from uncontrolled outdoor fire ignition during such conditions; and

WHEREAS, the Board of Commissioners finds that it is necessary to temporarily restrict outdoor burning in the unincorporated areas of Lanier County to reduce the risk of wildfires;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Lanier County, Georgia, and it is hereby ordained by authority thereof as follows:

Section 1. Title

This Ordinance shall be known and may be cited as the “Lanier County Temporary Outdoor Burning Restriction Ordinance.”

Section 2. Definitions

For purposes of this Ordinance, the following terms shall have the meanings indicated:

- (a) **“County”** means Lanier County, Georgia.
- (b) **“Outdoor Burning”** means any fire, whether attended or not, set outdoors for disposal of yard debris, vegetation, limbs, brush, grass, or similar materials, excluding lawful recreational or cooking fires as described below.
- (c) **“Recreational Fire”** means a fire in an approved fire pit, barbeque grill, chiminea, or similar device for cooking or enjoyment and which does not pose a significant risk of spread into vegetative fuels.

Section 3. Temporary Outdoor Burning Restriction

- (a) **Prohibition.** Effective immediately upon adoption of this Ordinance, and continuing until rescinded, open outdoor burning of yard debris including leaves, limbs, grass, brush, and similar

vegetative matter is **prohibited** on all private and public lands within the unincorporated areas of Lanier County.

(b) **Covered Activities.** The prohibition includes, but is not limited to, outdoor fires for disposal of yard waste, open brush burning, debris burning, and any fire that emits smoke or embers from natural vegetative materials.

(c) **Exemptions.** The following shall be allowed unless otherwise restricted by applicable state or federal law:

1. **Recreational Fires** in approved fire pits or devices, provided they are constantly attended, contained, and do not result in embers or fire spreading outside the intended area;
2. **Cooking Fires** using grills or similar devices for food preparation;
3. **Prescribed and Permitted Burns** expressly permitted by the Georgia Forestry Commission (GFC) or other authorized state agency under O.C.G.A. § 12-6-90 and accompanying rules (e.g., where applicable GFC permit and safety procedures are followed);
4. **Emergency Firefighting Activities** under the direction of appropriate authority.

(d) **State Law Notes (Reference).**

1. Under Georgia law (O.C.G.A. § 12-6-90), permits from the Georgia Forestry Commission are generally required for intentional burning of woods, marshes, or other flammable vegetation unless expressly exempted (e.g., hand-piled yard debris subject to certain conditions such as distance from structures and attendance).
2. Even where state law does *not* require a forestry permit for certain small burns, local ordinances *may still prohibit or restrict* burning; this Ordinance's prohibition supersedes otherwise permitted state exceptions for the duration of this temporary restriction.

Section 4. Duration of Restriction

This temporary restriction shall remain in effect until drought conditions improve and the Board of Commissioners, in consultation with the Lanier County Emergency Management Agency (LCEMA), the Georgia Forestry Commission, and other appropriate fire authorities, determines it is safe to lift the restriction and formally rescinds this Ordinance by further action.

Section 5. Enforcement and Penalties

(a) Enforcement of this Ordinance shall be the responsibility of the Lanier County Fire Chief, LCEMA, and/or other authorized County officials.

(b) Any person violating this Ordinance shall be subject to penalties as provided by Georgia law and applicable County code, including fines, criminal charges, and other enforcement actions.

Section 6. Notification

The County Administrator, in coordination with the Emergency Management Agency, shall cause public notice of this Ordinance and the burning restriction to be disseminated through appropriate media, including posting notice on the Lanier County website, social media, and local news outlets.

Section 7. Severability

If any provision of this Ordinance is held to be invalid or unenforceable, the remaining provisions shall remain in full force and effect.

Effective this 12 day of February, 2026.

**BOARD OF COMMISSIONERS
LANIER COUNTY, GEORGIA**

By: _____

Chairman

Attest: Kirstie Durrance

