

**CITY OF BROOKLET
STATE OF GEORGIA**

ORDINANCE NO. 2025-02-10

AN ORDINANCE BY THE MAYOR AND CITY COUNCIL FOR THE CITY OF BROOKLET TO AMEND CHAPTER 38 OF THE CODE OF ORDINANCES TO PROHIBIT THE BURNING OF LAWN TRASH, LEAVES, PINE STRAW, TRASH, AND RUBBISH; TO PROVIDE FOR PENALTIES; TO PROVIDE FOR NOTICE; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

WHEREAS, the duly elected governing authority of the City of Brooklet, Georgia (the “City”) is authorized by O.C.G.A. § 36-35-3 to adopt ordinances relating to its property, affairs and local government;

WHEREAS, the Mayor and Council have the authority to amend the City’s ordinances from time to time and where necessary to maintain adequate regulations; and

NOW THEREFORE, IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF BROOKLET, GEORGIA, in a regular meeting assembled and pursuant to lawful authority thereof, as follows:

Section 1. The Code of Ordinances, City of Brooklet, Georgia is hereby amended by adding Section 38-87, which Section reads as follows:

Sec. 38-87. – Outdoor Burning

(a) *Burning Prohibited.* It shall be unlawful to burn lawn trimmings, leaves, pine straw, trash, or rubbish of any kind. Notwithstanding the foregoing, the following may be permitted:

(1) Operation of devices using open flames such as candles, lanterns, tar kettles, blow torches, welding torches, portable heaters, or other flame-making equipment where approved safety measures are used.

(2) Cooking fires, charcoal barbecues, or recreational fires lit in chimineas, fire pits, fire bowls and similar freestanding devices when used to burn wood in its natural state.

(b) *Additional Requirements.*

(1) Burning permitted under this Section shall be constantly attended by an able-bodied person at least 18 years of age until the fire is extinguished. Such person shall have a garden hose connected to a water supply, or

other fire extinguishing equipment readily available for use and adequate to extinguish the fire.

- (2) The city or its designee may prohibit any fire when, in their sole opinion, atmospheric/weather conditions or local circumstances make such fires hazardous.
- (3) The city or its designee may extinguish or cause to be extinguished any fire if, in their sole opinion, the fire is endangering life or property or is becoming a nuisance to other persons.

(c) *Penalty.* Notwithstanding the penalties provided elsewhere in this Chapter, any violation of any provisions of this Section may be punishable for the first offense by a fine not exceeding \$50.00, and for subsequent offenses, by a fine not exceeding \$500.00 and imprisonment not exceeding six months.

Section 2. If any section, clause, sentence, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this ordinance.

Section 3. This ordinance shall become effective immediately upon its adoption by the City Council.

Section 4. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Approved this the 20th day of March, 2025.

CITY OF BROOKLET, GEORGIA


L.W. (Nicky) GWINNETT, JR., Mayor

ATTEST:


LORI PHILLIPS, City Clerk

