

Fact Sheet: Open Burning

Open burning is illegal within the Town of Hillsborough without a permit from the town's fire marshal.

How permits work

Open burning permits are issued for specific time periods up to 72 hours. When a permit is requested, the fire marshal checks with the N.C. Forest Service as to whether, given weather conditions, burning should be allowed on the requested days.

Upon issuing a permit, the fire marshal notifies the police and fire departments.

Restrictions on permits

In most cases, permits are issued to people who own or occupy the land where the burning is to take place. A permit also may be issued to this person's representative, and a permit for burning on public land may be issued for a cultural event or celebration.

Fires cannot be within 50 feet of a structure and must be attended at all times. A garden hose or other fire extinguishing equipment must be on hand.

Permits for burning yard waste such as leaves or brush are only issued for areas within the town's [extraterritorial jurisdiction](#) and not within town limits. Residents of the extraterritorial jurisdiction area can apply for a permit to burn yard waste in a fire marshal-approved container at least 15 feet from any structure. Any yard waste that does not fit in the container must be burned at least 50 feet from any structure.

Permits may be issued to burn trees or brush in connection with the clearing of land or rights of way, provided conditions listed in chapter 12, section 14 of the Hillsborough Code of Ordinances are met.

No construction or demolition debris may be burned.

Permits can be revoked

The fire marshal, any police officer, any firefighter, the town manager or an acting town manager may revoke an open burning permit if hazardous conditions are present at the site the permit was issued for, if the burning causes a threat to public health or safety, if it otherwise causes annoyance or discomfort to any person, or if it damages property.

Penalties

The fire marshal, any police officer, any firefighter, the town manager or an acting town manager may issue civil penalties, as specified in chapter 12, section 24 of the Hillsborough Code of Ordinances, for failure to comply with town rules regarding open burning.



Yard waste may only be burned within the town's extraterritorial jurisdiction and not within town limits.