

March 4, 2023

Subject: Burning Debris in the Woodlands

Background: In our 2023 annual meeting, the question was asked if we could establish some guidelines for burning yard debris in the Woodlands. The main issue was that one of our Woodlands residents has a smoke allergy and a neighbor of this resident is a frequent debris burner. A motion was made to limit burning to specific days. This motion received a second and discussion by those in favor and opposed. There was then a motion to table the original motion until more information could be gathered by the Board. The motion to table received a unanimous vote.

Research: There is no direct address to burning debris in our Woodlands covenants. The only item in the Woodlands covenants that might address the subject discussion is *Article I, Item I: Nuisances*: which states “No noxious or offensive activity shall be carried on anywhere on the property subject to these covenants, nor shall anything be done thereon which may be or become a nuisance or menace to the neighborhood.” The interpretation of this item as to what would be considered “noxious or offensive” or what would be a “nuisance or menace” would be up to the Woodlands Board.

The Greenville County rules for burning are certainly pertinent to this discussion. A copy of the regulating ordinance is attached (this specific version is for South Greenville, but according to the fire chief at the Taylors Fire Department, the regulations for Taylors are the same). The South Carolina DHEC Air Pollution Control Regulations and Standards also apply and are also attached. A few highlights from these documents most pertinent to burning in our subdivision are as follows:

- 1) Burning is limited to leaves, tree branches, or yard trimmings (no construction materials nor garbage items).
- 2) According to the ordinance, two notifications are required to burn: first, to the local fire department (phone 864-244-5596), and second to the SC Forestry Commission (phone 800-986-5299). Burning permission will be denied if current conditions deem burning unsafe. The fire chief at the Taylors Fire Department Headquarters on Wade Hampton Blvd. stated that they no longer require notification, but the SC Forestry notification is required.
- 3) Burning must be done 50 feet or more from any structure.
- 4) Fires must be constantly attended by a competent person with a connected garden hose or other fire spreading prevention equipment.
- 5) All fires must be extinguished by 3 PM and cannot be restarted before 9 AM the next day. By “extinguished” our Board believes this means not left smoldering – Smokey the Bear says douse the fire with water, stir it, and douse it again.

Conclusions: Smoke and the odor of smoke cannot be contained within a person’s property lines. Anyone starting a fire should be mindful of the impact to a neighbor. We know that many of our residents remove yard debris and take it to a county landfill, and the Woodlands Board recommends this method of dealing with yard debris if you have the means to do so. We cannot, however, prohibit burning unless we deem it has become a nuisance or menace. We would ask that each of you consider your neighbors’ wishes, and if you receive a request to limit burning, please be a good neighbor. We would also point out that all of us are required by law to limit burning to be in accordance with the attached documents.