

ORDINANCE NO. 2022- 0401

AN ORDINANCE OF THE VILLAGE OF BALD HEAD ISLAND, NORTH CAROLINA TO REGULATE THE USE OF COMBUSTIBLE LANDSCAPING MATERIALS

WHEREAS, pursuant to N.C. Gen. Stat. § 160A-174, the Village of Bald Head Island (the “Village”) may enact and amend ordinances that define, prohibit, regulate, or abate acts, omissions, or conditions, detrimental to the health, safety, or welfare of its citizens and peace and dignity of the Village;

WHEREAS, the Village Department of Public Safety (the “Department”) is trained and equipped to fight fires when and if they occur;

WHEREAS, despite the Department’s training and preparedness, the unique geography and means of accessing the island by ferry from the mainland create a situation in which a large scale fire affecting multiple structures would be difficult to control with the personnel and assets readily available on the island during a normal shift of the Department; and

WHEREAS, the use of pine straw and other ground cover materials with a fire rate of spread of more than 24 inches per minute as determined by the National Institute of Standards and Technology present a serious fire hazard that threatens structures; and

WHEREAS, for public safety and protection of island property, the Village Council wishes to regulate the use of pine straw and other ground cover materials with a fire rate of spread of more than 24 inches per minute as determined by the National Institute of Standards and Technology; and

WHEREAS, the Village Council has determined it to be in the best interests of the Village to adopt this amendment to the Village Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED, by the Village of Bald Head Island, North Carolina that:

Section 1. That section 12-31 is hereby added to the Village Code to read as follows:

Sec. 12-31. Use of Combustible Landscaping Materials.

No pine straw or any other landscape cover material with a fire rate of spread more than 24 inches per minute shall be placed, kept, or stored within 25 feet of any building or other structure with a combustible exterior.

Section 2. This ordinance shall not apply to any landscaping materials placed prior to the effective date; however, such landscaping materials may not be replaced with nonconforming materials after that date.

Section 3. This ordinance shall become effective on May 1, 2022.

Passed and adopted by the Village Council this the 14 day of APRIL, 2022.

BY: _____


PETER QUINN, Mayor

ATTEST:


DARCY SPERRY, Village Clerk

