



ORDINANCE NO. 2025- 0304

**AN ORDINANCE OF THE VILLAGE OF BALD HEAD ISLAND, NORTH CAROLINA TO  
REGULATE THE LIGHTING OF BEACH BONFIRES**

**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 responsible for protecting and maintaining the safety and well-being of all residents and visitors to the island, including with respect to fire control and the responsible use of fire in public spaces;

**WHEREAS**, the Department is also responsible for ensuring that private structures and natural resources, including the Bald Head Island Maritime Forest, are protected from the dangers of uncontrolled fire;

**WHEREAS**, the Village recognizes that the public beaches are a cherished resource and that the responsible use of controlled bonfires on the public beaches provides residents and visitors with an enjoyable recreational activity that fosters community and appreciation for the island’s unique environment;

**WHEREAS**, the Village seeks to promote safe and responsible beach bonfires that balance the enjoyment of this activity with the need for public safety and the protection of private property and natural resources;

**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 12-55 of the Village Code of Ordinances is hereby amended and restated to read as follows:

**Sec. 12-55. Application review.**

Upon receipt of an application as set forth in section 12-54, the director of public safety shall examine the application in order to determine that the same shall be fully answered

and in order to determine whether any further information shall be necessary. Upon determination that the application is complete in all respects, including any additional inquiry that the director of public safety shall make, the director of public safety shall review the circumstances and conditions under which the proposed burning shall take place, the materials of which the applicant shall seek disposal by burning, proximity to structures, firefighting apparatus which shall be at hand, existing and forecast weather conditions, and any and all other conditions which the director of public safety shall find to be relevant and may issue the burning permit if the director of public safety finds, from all of the conditions and circumstances then existing, that the proposed burning shall not present an undue risk of danger to persons or property as a result thereof.

**Section 2.** That a new section 12-58 is hereby added to the Village Code of Ordinances to read as follows:

**Sec. 12-58. Beach bonfire permits.**

Beach bonfire permits are issued to enhance public enjoyment of the island beaches, while prioritizing public safety, environmental preservation, and equitable access. The issuance of a beach bonfire permit is a privilege granted at the discretion of the village and the department of public safety, not a right. All permits are subject to the conditions and limitations outlined in this section, as well as any additional rules or restrictions deemed necessary by the department of public safety. The village, via the director of public safety, reserves the right to deny, revoke, or limit permits based on environmental conditions, safety concerns, or other factors in the public interest. Recreational burn permits may be issued for fires at beach accesses #5, 24, 35 and 39, subject to the conditions set forth in section 12-56 and the following additional requirements and limitations specific to beach bonfire permits:

- (1) All fires must be located within two-hundred (200) linear feet of the terminus of the permitted beach access.
- (2) No fire may be set within fifty (50) linear feet of any dune vegetation.
- (3) Only untreated, natural wood and other vegetation with a diameter not greater than 30 inches may be burned on the beach. Burning of materials such as plastics, treated wood, or any substance that produces toxic fumes is strictly prohibited.
- (4) Seasonal permits may be issued to any persons between a date determined and set by the village manager, with consultation from the Director of the Bald Head Island Conservancy, after which fires in the vicinity of the permitted beach accesses are not likely to disturb nesting or hatching sea turtles and May 1. The starting date for seasonal permits is subject to change from year-to-year at the discretion of the village manager.
- (5) No more than one (1) burn permit shall be issued per beach access in a single day.



(6) Permits for events hosted or sponsored by commercial entities, including non-profit organizations, shall only be issued at beach accesses #5 and 39.

(7) All permit applications will be submitted, processed and allocated using a process developed by the director of public safety. The public interest in ensuring equitable and broad access to the enjoyment of beach bonfires will guide permit allocation. No person shall be permitted to submit more than one application per day of intended burning.

(8) Permits will be issued no earlier than 24 hours prior to the requested burn date, pending confirmation of suitable weather and environmental conditions at the time of burn.

(9) Permits must be confirmed by and obtained from the department of public safety before any fire on the beach is lit. All persons burning a beach bonfire must have a copy of the permit on site and available for viewing by department of public safety personnel at all times.

(10) Any violation of the conditions set forth in this Section, including failure to obtain or present a permit, lighting a fire outside designated areas, or violating environmental protections, shall result in immediate revocation of the beach bonfire permit, prohibition from obtaining future permits for a one-year period, and possible fines as set forth in section 12-52.

**Section 3.** All other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

**Section 4.** This ordinance shall become effective immediately upon adoption.

Passed and adopted by the Village Council this the 21 day of MARCH, 2025.

BY: \_\_\_\_\_

PETER QUINN, Mayor

ATTEST:

Darcy Sperry  
DARCY SPERRY, Village Clerk

