

CHAPTER 13: AIR QUALITY CONTROL

Section

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Section 13-101 Emissions of Gases, Vapors, and Odors

1. No person shall cause, suffer, or allow any emissions of gases, vapors, or odor beyond the property line from which such emissions occur to be in sufficient quantities and of such characteristics and duration as is or is likely to be injurious to the public welfare; to the health of human, plant, or animal life; or to property; or which interfere with the enjoyment of life and property.
2. Detectable odors emitted from the following sources of emission are hereby declared to be objectionable per se:
 - A. Ammonia, bleaching powder, or chlorine manufacture;
 - B. Asphalt manufacture or refining;
 - C. Blood processing;
 - D. Bag cleaning;
 - E. Celluloid manufacture;
 - F. Coal tar products manufacture;
 - G. Compost heaps;
 - H. Crematory;
 - I. Creosote treatment or manufacture;
 - J. Disinfectants manufacture;
 - K. Distillation of bones, coal, or wood;
 - L. Dyestuff manufacture;
 - M. Fat rendering;
 - N. Fertilizer manufacture and bone grinding;
 - O. Glue or gelatine manufacture;
 - P. Incinerator or reduction of garbage, dead animals, offal, or refuse;
 - Q. Oiled rubber or leather goods manufacture;
 - R. Paint, oil, shellac, turpentine, or varnish manufacture;
 - S. Paper and pulp manufacture;
 - T. Rubber or gutta percha manufacture;
 - U. Sauerkraut manufacture;
 - V. Shoe-blackening manufacturing;
 - W. Soap manufacture;
 - X. Stock yards;
 - Y. Sulfuric, nitric, or hydrochloric acid manufacture;
 - Z. Tanning, curing, or storage of hides or skins;
 - AA. Tar distillation or manufacture;
 - BB. Tar roofing or waterproofing manufacture; and
 - CC. Any other air contaminate discharge into open air of a character and in a quantity which is detrimental to or endangers the public health.

Section 13-102 Open Burning

1. **In General.** Except as hereinafter provided in subsection 2, no person shall kindle an open fire in any public or private place outside any building. Fires started in violation of this Section shall be promptly extinguished by the person(s) responsible for same upon notice by the Fire Chief or his duly designated agent, as may be declared by the Mayor, all exceptions are void and no open fires shall be kindled.
2. **Exceptions.**
 - A. Open burning may be done under permit as follows:
 - (1) Application for burning permits shall be on forms provided by the Georgia Forestry Commission.
 - (2) No permit shall be issued unless the issuing officer is satisfied that:
 - (a) There is no practical available alternate method for the disposal of the material to be burned;
 - (b) No hazardous condition will be created by such burning;
 - (c) No salvage operation by open burning will be conducted; and
 - (d) No leaves will be burned in those areas where provision is made for public collection thereof.
 - (3) Any permit issued may be limited by the imposition of conditions to:
 - (a) Prevent the creation of excessive smoke; or
 - (b) Protect property and the health, safety, and comfort of persons from the effects of the burning.
 - (4) If it becomes apparent at any time to the Fire Chief that limitations need to be imposed for any of the reasons stated in subsection (2)(A)(3) above, the Fire Chief or his duly designated agent shall notify the permittee in writing and any limitations so imposed shall be treated as conditions under which permit is issued.
 - B. **Open Burning May Be Done Without Permit as Follows.**
 - (1) Reserved.
 - (2) Reserved.
 - (3) Open fires may be set in performance of an official duty of any public officer if the fire is necessary for one or more of the following reasons or purposes:
 - (a) For the prevention of a fire hazard which cannot be abated by other means;
 - (b) For the instruction of public firefighters or industrial employees under supervision of the Fire Chief; or
 - (c) For the protection of public health.
 - (4) Fires may be used for the cooking of food, provided no smoke violation or other nuisance is created.
 - (5) Salamanders or other devices may be used for heating by construction or other workers, provided no smoke violation or other nuisance is created.
 - (6) Fires may be set in the course of agricultural operations in growing crops or raising fowl or animals, provided no nuisance is created.
 - (7) Open fires may be set for recreational purposes, such as campfires, provided no smoke violation or nuisance is created.

Section 13-103 Enforcement

The provisions of this Chapter shall be enforced by the Fire Chief and such subordinate officers of the Fire Department as are necessary to effectuate the requirements set forth herein.

Section 13-104 Penalties

1. Any person who violates any provisions of this Chapter shall be subject to a fine not to exceed one hundred dollars (\$100.00), such fine to be imposed at the discretion of the Judge of the Municipal Court.
2. Action pursuant to subsection 1 of this Section shall not be a bar to enforcement of this Chapter by injunction or other appropriate remedy, and the Sheriff shall have the power to institute and maintain in the name of the municipality any and all such enforcement proceedings.

- 3.** Nothing in this Chapter shall be construed to abridge, limit, or otherwise impair the right of any person to maintain any action or other appropriate proceeding for damages or other relief on account of injuries to persons or property.