



Forsyth County Office of Environmental Assistance and Protection
Forsyth County Government Center
201 N Chestnut Street
Winston-Salem, NC 27101-4120

(336)703-2440
(336)727-2777 fax

Forsyth County Waiver Form for Open Burning Within 1000 Feet of Occupied Dwellings - Part I

Burning is prohibited if the location of the burning is 1,000 feet or less *"from any dwelling, group of dwellings, or commercial or institutional establishment, or other occupied structure not located on the property on which the burning is conducted. **The Director may grant exceptions to the setback requirements if**: ...a signed, written statement waiving objections to the open burning associated with the land clearing operation is obtained and submitted to, and the exception granted by, the Director before the open burning begins from a resident or an owner of each dwelling, commercial or institutional establishment, or other occupied structure within 1,000 feet of the open burning site. **In the case of a lease or rental agreement, the lessee or renter shall be the person from whom permission shall be gained prior to any burning.**"*

In the above, the *Director* is the Director of the Forsyth County Office of Environmental Assistance and Protection. Open burning is prohibited on air quality forecasts of orange, red, or purple even if burning is permitted by the N.C. Division of Forest Services.

Attach a completed copy of the land-clearing open burn registration form for this project. Please enter the following as noted on your Registration form:

Site Street Address or location of this burn project: _____

Instructions:

1. Show this information (Part 1) and the fully completed Registration Form to each dwelling\establishment that you need a signature.
2. Clearly complete the dwelling signature page (Part 2) (add as many pages as needed).
3. Submit the registration form, including a map of the burn project area. This map should be a copy of a county tax map that shows property lines.
 - a. Draw a 250 feet and a 1000 feet circle around each burn pile
 - b. All dwellings (write in addresses) and roads must be indicated on this map
4. Answer Certification Statement below and sign this page and all pages submitted with this waiver form.

Do not burn until you receive verification that this process has been completed.

Certification Statement:

I certify that every person required to be contacted as stated in .1903 (b)(2)(B) of the Forsyth County Code (partly stated in the italicized wording in the first paragraph of this form) that are 1000 feet or less from any planned land-clearing open burn pile have been asked for their signature to waive the 1000 feet setback requirement. I realize that those signing this waiver do not waive their rights concerning the impact of smoke and ash on their property. Did anyone (as described by rule) within 1000 feet of any burn pile planned in this land-clearing project deny you permission to burn? Yes ☐ No ☐ (check one) If yes, please explain:

I certify that the information submitted on this form (Parts 1 and 2) is true and accurate and that all parties required to sign this waiver are included in the Part 2 form(s).

Project Representative: _____ Date: _____

For OEAP use only:

Approved by: _____ Date: _____

Forsyth County Waiver Form for Open Burning Within 1000 feet of Occupied Dwellings - Part 2

To all those asked to sign this waiver: This form should not be completed without first reading Part I of this form and the completed registration form (this should include tonnage, dates of operation, and material burned). Be sure to write down the contact's name and telephone number so that you may have a person to contact in case of a problem.

Waiver Statement:

I give permission to the land-clearing operator (of the project described in the registration form) to burn land clearing debris within 1000 feet of my structure on the dates specified on the registration form or within 30 days after the Forsyth County Environmental Assistance and Protection Director's approval. I understand that it is only because the distance from my structure to the open burning is less than 1000 feet that I give my permission. I have considered the health of all that reside or spend time at this property, including children and the elderly. I also understand that, once the burning activity has commenced, my agreement to waive the setback requirement is irreversible.

Person signing waiver:

Name:	Signature:
Street Address:	
Telephone Number:	Date:

Person signing waiver:

Name:	Signature:
Street Address:	
Telephone Number:	Date:

Person signing waiver:

Name:	Signature:
Street Address:	
Telephone Number:	Date:

Person signing waiver:

Name:	Signature:
Street Address:	
Telephone Number:	Date:

I certify that the information submitted on this form is true and accurate.

Company/Project Representative: _____ **Date:** _____

After obtaining signatures of ALL PROPERTY OWNERS OR LESSEES within 1000 feet of each planned burn pile, the waiver form must be approved and signed by the Forsyth County Office of Environmental Assistance and Protection's Director prior to commencement of the open burning activity. Burning without an approved waiver form, when required for land-clearing open burning, will result in issuance of a notice of violation and the assessment of civil penalties not to exceed \$10,000 per violation per day.

Disclaimer: this waiver does not relieve the person conducting the open burning, or the property owner where the burning is taking place, of responsibility for damage done to neighboring properties. Additionally, this waiver does not relieve the responsible parties from their obligation to fully comply with Forsyth County's Open Burning Regulations (Subpart 3D Section .1900 of the Forsyth County Air Quality Technical Code). For more information about land-clearing open burning in Forsyth County visit http://www.forsyth.cc/EAP/burning_clearing.aspx.