

# Clay County, NC – Burning Regulations

In Clay County, North Carolina, outdoor burning is regulated by both **state law** and **local ordinances**, and you must comply with both to avoid fines or enforcement action.

## **Statewide Rules (NC DEQ & N.C. Forest Service)**

- **What you can burn:** Only natural vegetation from your own property, such as leaves, limbs, brush, firewood, logs, stumps, and untreated clean wood [NC Dept. of Environmental Quality+1](#).
- **What you cannot burn:** Trash, construction materials, man-made items (paper, cardboard, plastic, metal, treated wood, tires, asphalt shingles, paints, chemicals, buildings) [NC Dept. of Environmental Quality+1](#).
- **Time limits:** Residential yard waste burning is allowed **only between 8 a.m. and 6 p.m.**; no new vegetation can be added after 6 p.m. [NC Dept. of Environmental Quality+1](#).
- **Air quality restrictions:** Burning is only permitted when the air quality forecast is **Code Green or Code Yellow**. Code Orange, Red, or Purple days prohibit burning [WRAL](#).
- **Burn ban status:** Updated as needed. (However, your local fire department may still impose their own restrictions).

## **Local Rules in Clay County**

- **Fire Prevention Ordinance:** Clay County's Fire Prevention Ordinance incorporates the **North Carolina Fire Prevention Code** and is enforced by the County Fire Marshal.
- **Permit process:** You can apply for a burn permit through the **North Carolina Forest Service online system**.

## **Enforcement & Penalties**

- Violations of open burning rules can result in **fines up to \$25,000** [NC Dept. of Environmental Quality+1](#).
- The Clay County Fire Marshal and local fire departments can issue citations for non-compliance.

## **Practical Steps**

1. **Check air quality** before burning – use the N.C. Air Quality Index to confirm it's Code Green or Yellow.
2. **Obtain a burn permit** if required by your local fire department or municipality.

3. **Burn only allowed materials** and within the 8 a.m.–6 p.m. window.
4. **Avoid adding new vegetation** after 6 p.m.
5. **Follow local fire department guidance** – some areas may have additional restrictions.

For the most accurate and up-to-date information, contact:

- **North Carolina Forest Service Burn Permit System** (for permit applications)
- **Local fire departments** Clay Co. Fire & Rescue