



CHAPTER 106
ARTICLE 78 - REGULATION OF OPEN FIRES

N.C.G.S. § 106-942.

High hazard counties; permits required; standards.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2026-11, s. 10 — eighth act in the lineage	21 September 2026, 02:07 UTC	039228a3278cae4240f95767 - 5ae86b0dd83a86ad34ac62cb - c83821b88e85cb43

- § 106-942(a)

The provisions of this section apply only to the counties of Beaufort, Bladen, Brunswick, Camden, Carteret, Chowan, Craven, Currituck, Dare, Duplin, Gates, Hyde, Jones, New Hanover, Onslow, Pamlico, Pasquotank, Pender, Perquimans, Tyrrell, and Washington which are classified as high hazard counties in accordance with G.S. 106-940.
- § 106-942(b)

It is unlawful for any person to willfully start or cause to be started any fire in any woodland under the protection of the Department or within 500 feet of any such woodland without first having obtained a permit from the Department. Permits for starting fires may be obtained from forest rangers or other agents authorized by the forest ranger to issue such permits in the county in which the fire is to be started. Such permits shall be issued by the ranger or other agent unless permits for the area in question have been prohibited or cancelled in accordance with G.S. 106-944 or G.S. 106-946.
- § 106-942(c)

It is unlawful for any person to willfully burn any debris, stumps, brush or other f-lammable materials resulting from ground clearing activities and involving more than five contiguous acres, regardless of the proximity of the burning to woodland and on which such materials are placed in piles or windrows without first having obtained a special permit from the Department. Areas less than five acres in size will require a regular permit in accordance with G.S. 106-942(b).

- (1) Prevailing winds at the time of ignition must be away from any city, town, development, major highway, or other populated area, the ambient air of which may be significantly affected by smoke, fly ash, or other air contaminants from the burning.
- (2) The location of the burning must be at least 500 feet from any dwelling or structure located in a predominately residential area other than a dwelling or structure located on the property on which the burning is conducted unless permission is granted by the occupants.
- (3) The amount of dirt or organic soil on or in the material to be burned must be minimized and the material arranged in a way suitable to facilitate rapid burning.
- (4) Burning may not be initiated when it is determined by a forest ranger, based on information supplied by a competent authority that stagnant air conditions or inversions exist or that such conditions may occur during the duration of the burn.
- (5) Heavy oils, asphaltic material, or items containing natural or synthetic rubber may not be used to ignite the material to be burned or to promote the burning of such material.
- (6) Initial burning may be commenced only between the hours of 8:00 A.M. and 4:00 P.M. and no combustible material may be added to the fire between 4:00 P.M. on one day and 8:00 A.M. on the following day, except that when favorable meteorological conditions exist, any forest ranger authorized to issue the permit may authorize in writing a deviation from the restrictions.

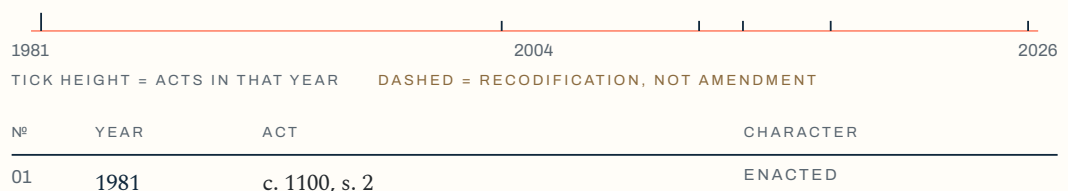
END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
8 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.



02	1981	1981 (Reg. Sess., 1982), c. 1165	AMENDED
03	1981	c. 1385, s. 2	AMENDED
04	2002	S.L. 2002-132, s. 1	AMENDED
05	2011	S.L. 2011-145, s. 13.25(w), (x)	AMENDED
06	2013	S.L. 2013-265, s. 15	AMENDED
07	2017	S.L. 2017-108, s. 12(f)	AMENDED
08	2026	S.L. 2026-11, s. 10	AMENDED

APPARATUS II
4 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 106-940	(a)	<i>"high hazard counties in accordance with"</i>
G.S. 106-944	(b)	<i>"prohibited or cancelled in accordance with"</i>
G.S. 106-946	(b)	<i>"in accordance with G.S. 106-944 or"</i>
G.S. 106-942(b)	(c)	<i>"a regular permit in accordance with"</i>

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 106-942 (2026).

PINPOINT

N.C. Gen. Stat. § 106-942(a) (2026).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1981, c. 1100, s. 2; 1981 (Reg. Sess., 1982), c. 1165; c. 1385, s. 2; 2002-132, s. 1; 2011-145, s. 13.25(w), (x); 2013-265, s. 15; 2017-108, s. 12(f); 2026-11, s. 10.)

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