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**AN ORDINANCE AMENDING CHAPTER 92
OF THE TOWN OF SUNSET BEACH CODE OF ORDINANCES**

BE IT ORDAINED by the Town Council of Sunset Beach that the following Section of Chapter 92 FIRE PREVENTION is hereby repealed and replaced as follows:

§92.41 CHARCOAL FIRES OPEN FLAMES

A. CHARCOAL GRILLS FOR MAINLAND, COMMERCIAL AND MULTI-FAMILY DWELLINGS.

Refer to current NC Fire Codes 308.1.4 Open Flame Cooking Devices.

B. ISLAND GRILLING AND FIREPLACE/PIT

No person shall operate on the Island of Sunset Beach any type of portable outdoor fireplace/pit, hibachi or charcoal grill or maintain any type of open fire on any outside porch, patio or landing above or at ground level and within 10’ of the structure footprint at any type of dwelling.

Electric and gas grills shall be permitted only if they are permanently attached to the landing and not covered by any type of roof or awning. All fixed gas fueled outdoor fireplaces shall require a mechanical permit from the town's inspections department prior to installation.

Gas fueled outdoor fireplaces three (3) feet in diameter or less with a flame height less than two (2) feet, must be permanently affixed at the ground level, and separated from structures and combustible materials by ten (10) feet shall be permitted.

C. Violation of this section shall not constitute an infraction or misdemeanor under NCGS 14-4, but will subject the violator to a civil penalty to be recovered by the Town in a civil action in the nature of debt if said civil penalty is not paid within 72 hours after being cited for the violation. Unless otherwise specified in the Code of Ordinances, the civil penalty shall be fifty dollars (\$50) for each separate or distinct offense.

Adopted this the ____ day of _____, _____

Town of Sunset Beach

Mayor

ATTEST:

Lisa H. Anglin, Town Clerk