



4800 Ashford Dunwoody Road  
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## **MEMORANDUM**

**To:** Mayor and City Council

**From:** Paul Leonhardt, Deputy Community Development Director

**Date:** January 26, 2026

**Subject:** Text Amendment to Prohibit Burning of Yard Waste

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### **ITEM DESCRIPTION**

This item is an ordinance to amend Chapter 22 of the City of Dunwoody Code of Ordinances, Nuisances by enacting restrictions on outdoor fires and prohibiting the burning of yard waste.

### **DISCUSSION**

Upon request by Councilmember Heneghan, the staff has prepared an ordinance that restricts outdoor burning. Presently, State EPD (Environmental Protection Division) rules govern outdoor burning in Dunwoody, prohibiting the burning of yard waste from May 1 through September 30, when ozone levels are highest. Between October 1 and April 30, burning of yard waste is presently allowed.

DeKalb County Sanitation offers yard waste pickup services on regular pickup days. Residents place yard waste in approved containers at the curb, typically in durable paper bags. While most Dunwoody residents utilize this service, the City receives annual complaints about residents that burn yard waste in back yards. Yard waste can produce black smoke and particulate matter that can impact the environment and health of residents and pets.

Of Dunwoody's sister communities, Sandy Springs, Brookhaven, and Alpharetta all allow outdoor burning only for specified purposes, which does not include the burning of yard waste. Decatur and Roswell specifically prohibit the burning of yard waste.

The proposed ordinance allows outdoor burning only for specified purposes. Residents are allowed to prepare food over open flames and have recreational fires in fire pits. Further typical construction or mechanical equipment such as blow torches is exempt, as are occasional burnings approved by the DeKalb Fire Department.

### **ATTACHMENTS**

- Proposed Ordinance

**Lynn Deutsch** Mayor

**Eric Linton** ICMA-CM City Manager

**Sharon Lowery** CMC City Clerk

**Catherine Lautenbacher** City Council Post 1

**Rob Price** City Council Post 2

**Tom Lambert** City Council Post 3

**Stacey Harris** City Council Post 4

**Joe Seconder** City Council Post 5

**John Heneghan** City Council Post 6  
Packet page:....

**AN ORDINANCE TO AMEND CHAPTER 22 OF THE CITY OF DUNWOODY CODE OF ORDINANCES; TO PROHIBIT BURNING OF YARD WASTE.**

**WHEREAS** the City of Dunwoody is charged with preserving the health, safety and welfare of the citizens of the city; and

**WHEREAS** under State of Georgia, outdoor burning is prohibited in times of bad air pollution; and

**WHEREAS** outdoor burning of yard waste produces smoke and particulate matter that can have negative health and environmental impacts; and

**WHEREAS** the burning of substances designed for the cooking of food and for recreational fires, including natural gas and firewood, produces fewer such emissions; and

**WHEREAS** the City of Dunwoody wishes to continue to allow cooking, recreational, and other less harmful uses; and

**WHEREAS** the proposed text amendment allows City staff to issue citations for any unauthorized outdoor burning.

**NOW, THEREFORE**, the Mayor and City Council of the City of Dunwoody HEREBY ORDAIN that Chapter 22 – Nuisances is amended to add the following:

**ARTICLE I. - IN GENERAL**

Sec. 22-1. – Outdoor burning prohibited

(a) Except as otherwise provided by law, or as otherwise set forth in this Code, on properties improved with one or more single-dwelling residential structures and used for residential purposes, no persons shall openly burn refuse, rubbish, brush, trash wood, leaves, grass, grass clippings, tree limbs or other combustible materials anywhere in the city.

(b) The following are exceptions to the prohibition on outside burning provided that none of the following items are to be burned: refuse, rubbish, brush, trash, treated wood, leaves, grass, grass clippings, or any manmade items other than those designed for cooking or smoking food:

(1) Outdoor burning in connection with the preparation of food for human consumption.

(2) Burning associated with the operation of devices that require open flames, such as tar kettles, blow torches, welding torches, portable heaters and other flame-making equipment, provided that the use of such equipment does not violate other local or state laws.

STATE OF GEORGIA  
CITY OF DUNWOODY

**ORDINANCE 2026-XX-XX**

(3) Fires in recreational fire pits as long as the fire pit does not exceed 5 feet in diameter and the fire pit is at least 25 feet from all structures and at least 10 feet from all property lines. Such fires are not required to be approved in advance by the fire department and are not limited to cooking purposes. Fires in fire pits must be attended at all times. For the purposes of this ordinance, a recreational fire pit is defined as a pit dug and/or constructed into or on the ground in which a contained fire is made.

(4) Camp fires and fires used solely for recreational or ceremonial occasions, provided that the burning is approved in advance by the fire department and conducted pursuant to such conditions as the fire department may require.

Secs. 22-12—22-18. - Reserved.

**SO ORDAINED**, this \_\_\_\_ day of \_\_\_\_\_, 2026.

Approved:

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Lynn P. Deutsch, Mayor

ATTEST:

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Sharon Lowery, City Clerk (Seal)

Approved as to Form and Content:

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City Attorney



# Text Amendment to Prohibit Burning of Yard Waste

January 26, 2026

# Background

- Currently, GA EPD regulations prohibit outdoor burning of yard waste between May 1 and September 30, when ozone levels are highest
- Burning is allowed between October 1 and April 30
- Burning of yard waste leads to complaints by neighbors due to smoke and particulate matter that impact environment and health
- DeKalb County offers yard waste pick up as an alternative to residents

# Discussion Points

- Proposed ordinance allows typical residential uses, including grills and fire pits
- Ordinance also exempts construction equipment and larger fires as long Fire Department is notified
- Neighboring communities restrict outdoor burning
  - Sandy Springs, Brookhaven, Alpharetta allow outdoor burning only for specified purposes, which do not include the burning of yard waste
  - Decatur and Roswell specifically prohibit the burning of yard waste

# Recommendation

- Staff recommends adoption
- Second read (action item) on February 9



*City of*  
**Dunwoody**  
*Georgia*