

PITTSYLVANIA COUNTY CODE

CHAPTER 27

OUTDOOR BURNING

§ 27.1. Outdoor Burning of Wood, Brush, Etc.

§ 27.2. Severability of Parts of Article

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AN ORDINANCE OF THE COUNTY OF PITTSYLVANIA, VIRGINIA PROVIDING THAT THE CODE OF ORDINANCES, COUNTY OF PITTSYLVANIA, VIRGINIA, BE AMENDED BY ADDING A SECTION PROVIDING FOR RESTRICTING THE OUTDOOR BURNING OF WOODS, BRUSH, ETC.

Be it ordained be the Board of Supervisors of Pittsylvania County, Virginia as follows:

THAT THE CODE OF ARTICLES OF THE COUNTY OF PITTSYLVANIA AMENDED BY ADDING AN ARTICLE TO READ AS FOLLOWS:

SEC. 27.1. OUTDOOR BURNING OF WOODS, BRUSH, ETC.

1. It shall be unlawful for any person to set fire to, or procure another to set fire to any woods, brush, logs, leaves, grass debris, or other flammable material within the boundaries if of Pittsylvania County, Virginia, when a declaration of emergency is issued.
- 2.. The Director of Emergency Management (Chairman of the Board of Supervisors) and the Deputy Director of Emergency Management (County Administrator) or in his absence the Coordinator of Emergency Management (Department Director of Emergency Management and Communications), after consultation with the Virginia Department of Forestry, shall have the authority to issue a declaration of emergency when, in their opinion, continued dry weather conditions require the issuance of such a declaration
3. Once a declaration of emergency is issued shall be implemented by the Coordinator of Emergency Management and remain in effect until terminated by action of the Board, or terminated by the Director of Emergency Management and the Deputy Director of Emergency Management.
4. During the period of declared emergency, in order to avoid hardship or to promote the public welfare, exceptions to this ordinance may be granted by special permit issued by the Deputy Director of Emergency Management or in his absence the Coordinator of Emergency Management upon good cause shown; provided, however that no such special permit shall be issued until consultation with the Virginia Department of Forestry and determined that issuance of said special permit will not create a serious fire hazard. Said Deputy Director shall notify the holder of such permit that he mush still comply with all State Forest Fire Laws and Regulations. Said Deputy Director shall deliver a copy of any such special permit, as soon as practicable to the Pittsylvania County Sheriff's Office and the County's 911 Center and the Virginia Department of Forestry.
5. Any forest management burns conducted under the supervision of the Virginia Department of Forestry, or approved by the Virginia Department of Forestry shall be exempt from this ordinance.

6. Violations of this ordinance shall be a Class 3 misdemeanor and punished according to Section 15.2-1429 of the Code of Virginia 1950, as amended.

SEC. 27.2 . SEVERABILITY OF PARTS OF ARTICLE.

If any part, section, subsection, sentence, clause or phrase of this Article is, for any reason, declared to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this article.

SEC. 27.3. REPEALED.

All Articles or portion or articles in conflict with this Article are hereby repealed to the extent of their conflict.

SEC. 27. 4. EFFECTIVE DATE.

This Article shall be effective on and after 12:01 O'clock a.m. on August 17, 1988.

SEC. 27. 5. INCLUSION IN CODE OF ORDINANCES.

The provisions of this Ordinance shall be included and incorporated in the Code of Ordinances of the County of Pittsylvania, Virginia as an addition thereto, and shall be appropriately renumbered, as required, to conform to the uniform numbering system of the code.

Adopted by the Board of Supervisors on March 19, 2002.