



Ordinance No.2016-5
Emergency Ordinance Banning Outdoor Burning in Bath County

WHEREAS, the Board of Supervisors for the County of Bath does hereby find that:

- A. The lack of rainfall, low humidity and high winds has led to extremely dry conditions which has caused the County of Bath to face a dangerous fire condition; and,
- B. Due to the lack of moisture, a state of extreme peril for life and property necessitates the proclamation of the existence of an emergency; and,
- C. There is no appreciable amount of rain forecast for the County of Bath; and
- D. On November 18, 2016, The County declared a local emergency to protect the citizens and property located in Bath County; and
- E. The Department of Emergency Services has requested a ban on outdoor burning, which the Department of Forestry has supported; and,

WHEREAS, §15.2-1427 of the Code of Virginia permits the County of Bath to enact emergency ordinances without the normal public notice.

WHEREAS, §15.2-922.1 of the Code of Virginia permits the County of Bath to enact an ordinance that regulates or prohibits the making of fires in streets, alleys, and other public places and, when a declared emergency exists, pursuant to §44-146.21, regulate the making of fires on private property.

NOW, THEREFORE BE IT RESOLVED, the Bath County Board of Supervisors finds that lack of precipitation coupled with dry vegetation, warm temperatures and windy conditions has created a high risk of forest and field fires which endanger persons and property, and therefore hereby declares a fire emergency and ORDAINS as follows:

1. All outdoor burning and all outdoor fires, including camp fires, are prohibited except within a grill or stove designed and used for food preparation which contain fuel and fire within a metal or masonry container.
2. Any violation of this ordinance is a Class 1 misdemeanor.
3. This ordinance shall expire 60 days from the date of enactment unless sooner declared void by the County Administrator upon his determination that a fire emergency no longer exists, or unless lawfully extended by act of the Board of Supervisors.
4. This ordinance shall be published in the Recorder newspaper for the next two consecutive weeks following enactment.



5. This ordinance shall take effect immediately upon adoption.
6. We respectfully request that the Commonwealth of Virginia and the USDA Forest Service consider adopting a similar ban on open burning in the County of Bath.

This Ordinance is Approved this 18th Day of November, 2016 by the Board of Supervisors of the County of Bath, Commonwealth of Virginia.



Claire A. Collins, Chair

Attest



Ashton N. Harrison, Clerk