

ADOPTED

MAY 4 1992

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

ORDINANCE NO. 9A-5

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 6, FIRE PROTECTION, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE I, FIRE PREVENTION CODE, BY ADDING SECTION 6-3.1, BURNING LEAVES.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 6, Fire Protection, is hereby amended and reordained by adding Section 6-3.1, Burning leaves.

Chapter 6. Fire Protection

Article I. Fire Prevention Code.

Section 6-3.1. Burning leaves.


(a) Notwithstanding any other provision of this Code, it shall be unlawful for any person to burn leaves in the open within the County except in those areas zoned A-1, General Agriculture; provided, however, even within A-1 areas, leaves shall not be burned in platted subdivisions consisting of five (5) or more lots, of which at least three (3) lots have occupied dwellings, or

in manufactured home parks. In those areas where leaf burning is otherwise permitted, it shall be unlawful for any person to burn leaves during the period beginning March 1 and ending May 15 of each year, except between the hours of 4:00 p.m. and 12:00 midnight.

(b) Leaf burning performed in an area permitted in paragraph (a) shall comply with any applicable provisions of State law and this article.

State law references – Code of Virginia, Sections 27-97 and 10.1-1142.

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Chapter 6. Fire Protection
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Jack D. Edwards
Chairman, Board of Supervisors

ATTEST:



David B. Norman
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
DEPUE	AYE
TAYLOR	NAY
SISK	AYE
KNUDSON	AYE
EDWARDS	AYE

Adopted by the Board of Supervisors of James City County, Virginia,
this 4th day of May, 1992.

2039U

MEMORANDUM

DATE: May 4, 1992
TO: The Board of Supervisors
FROM: Richard M. Miller, Fire Chief
SUBJECT: Leaf Burning Ordinance

At your request, the Fire Department, Refuse Disposal, and the County Attorney's office researched how other urban and urban/rural localities regulate leaf burning. Our research indicated that most counties with demographics similar to ours do not allow leaf burning in urbanized sections of the locality and do allow leaf burning in rural areas. York County is a notable exception to our research. They do not regulate open burning of leaves at all. The City of Williamsburg and Newport News prohibit leaf burning entirely.

The proposed ordinance limits open burning of leaves except in those areas zoned A-1 and to prohibit the burning of leaves in all areas between March 1 and May 15 of each year except between the hours of 4:00 p.m. and 12:00 midnight. The ordinance would become part of and enforced through the fire prevention code.

I recommend adoption of the ordinance.


Richard M. Miller

RMM/tlp
0500u