

Floyd County Board of Supervisors

P.O. Box 218

Floyd, Virginia

24091

**AN ORDINANCE PROHIBITING OPEN BURNING ON
PUBLIC PROPERTY AND PROHIBITING OPEN BURNING ON
PRIVATE PROPERTY DURING DECLARED DROUGHT EMERGENEIS OR
OTHER EMERGENCIES CREATING HEIGHTENED FIRE RISK**

WHEREAS, pursuant to § 15.2-922.1, of the *Code of Virginia*, 1950, as amended, the County of Floyd is empowered to regulate or prohibit the making of fires in streets, alleys, and other public places and, when a declared emergency exists, pursuant to § 44-146.21, of the *Code*, regulate the making of fires on private property; and,

WHEREAS, the entire territory of the County of Floyd has recently experienced and continues to experience abnormally dry and/or moderate drought conditions, which create a high risk of wildfires; and

WHEREAS, in order to protect the public health, safety and welfare of the people and businesses of the County of Floyd, the Board of Supervisors of Floyd County has determined that it is necessary to adopt the following emergency ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Floyd County, Virginia, that it shall be unlawful for any person to light or maintain any fire in the open air on any land, public or private, located within the County of Floyd during an emergency declared in accordance with § 44-146.21 of the Code of Virginia. This prohibition shall include the burning of any wood, brush, logs, leaves, grass, debris, or other inflammable material, but shall not be deemed to include the use of propane or natural-gas outdoor grills and similar gas-fired cooking equipment, or the proper use of emergency road flares, or the for the destruction of any combustible liquid or gaseous material by burning in a flare or flare stack.

Violation of this Ordinance shall constitute a Class I Misdemeanor.

This Emergency Ordinance is adopted this the 16th day of December 2021, pursuant to §15.2-1427(F) of the *Code of Virginia*, 1950, as amended, and shall be effective for a period of sixty days hereafter unless repealed, amended, or readopted in conformity with the provisions of such Section.

THIS ORDINANCE SHALL BE EFFECTIVE IMMEDIATELY

This Ordinance was duly adopted this 16th day of December 2021.

Floyd County Board of Superbisors

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	Aye	Nay
Lauren D. Yoder	_____	_____
Joe D. Turman	_____✓_____	_____
Jerry W. Boothe	_____✓_____	_____
Justin Coleman	_____✓_____	_____
Linda DeVito Kuchenbuch	_____✓_____	_____

I, LINDA MILLSAPS, HEREBY ATTEST THAT THIS IS A TRUE AND ACCURATE COPY OF SAID ORDINANCE.


Linda Millsaps
County Administrator