

STATE OF LOUISIANA

PARISH OF WASHINGTON

WASHINGTON PARISH COUNCIL

ORDINANCE No. 11-552

Introduced on May 23, 2011

Introduced by Aubrey Posey

Public hearing held on May 23, 2011

**AN EMERGENCY ORDINANCE PROVIDING FOR
THE PROHIBITION OF ANY AND ALL OPEN BURNING
THROUGHOUT THE BOUNDARIES OF
THE PARISH OF WASHINGTON, STATE OF LOUISIANA**

WHEREAS, the Parish of Washington is experiencing dry weather condition that have resulted in a substantial increase in the number of reported grass and forest fires;

AND WHEREAS, wild fires pose a threat to the life and property of Parish residents;

AND, WHEREAS, the Parish of Washington is in receipt of a request from the Washington Parish Fire Chief's Association requesting the Parish Government ban open burning within the Parish of Washington due to the threat to life and property and the drain on Parish fire fighting capabilities;

BE IT ORDAINED, by the Washington Parish Council, governing authority of the Parish of Washington, State of Louisiana, and pursuant to the authority conferred by Section 2-14 of the Home Rule Charter that, due to the extreme dry weather conditions that threaten the life and property of our Parish residents, does hereby adopt this emergency ordinance providing for the prohibition of any and all open burning throughout the boundaries of Washington Parish.

BE IT FURTHER ORDAINED, that if any provision of this ordinance is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance, which can be given affect without the valid provisions, items or applications and to this end the provisions of this ordinance are hereby declared severable.

BE IT FURTHER ORDAINED, that all ordinances or parts of ordinances in conflict herewith are hereby repealed.

BE IT FURTHER ORDAINED, that the Council Clerk be and is hereby instructed, authorized an directed to have said ordinance published in the official journal of the Parish of Washington.

BE IT FURTHER ORDAINED, that this ordinance does not apply to prescribed burns by the Department of Agriculture and Forestry, those trained and certified by the Department of Agriculture and Forestry or by those who conduct prescribed burning as a "generally accepted agricultural practice" as defined by the Louisiana Right to Farm and Forest Act, La. R.S. 3:3602(9).

BE IT FURTHER ORDAINED, that this ordinance shall become effective for a period of no longer than thirty (30) consecutive days or until the Parish President deems it unnecessary.

BE IT FURTHER ORDAINED, that the penalties for violation of this ordinance shall be as follows:

- a. First offense – violators will be issued a warning;
- b. Second offense – violators will be fined \$250.00;
- c. Third offense and each offense thereafter – violators will be fined \$500.00.

BE IT FURTHER ORDAINED, that the local fire departments are empowered to extinguish any and all fires which are in direct violation of this ordinance.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: (6) Fussell, Johnson, Thomas, Route, Posey, Wheat

NAYS: (0)

ABSENT: (1) Nassauer

The ordinance was declared adopted on the 23 day of May, 2011.

WASHINGTON PARISH COUNCIL

By: Aubrey Posey
Aubrey Posey, Chairman

Delivered to the Parish President on the 24 day of May, 2011.

WASHINGTON PARISH GOVERNMENT

By: Richard N. Thomas, Jr.
Richard N. Thomas, Jr., President

Returned to the Clerk of the Parish Council on the 24 day of May, 2011.

ATTEST:

Sharon Lyons
Sharon Lyons, Clerk of the Parish Council