

WASHINGTON PARISH COUNCIL
ORDINANCE NO. 00-246

Introduced by Chairman Kenneth Wheat
Public Hearing held on July 20, 2000
Adopted on July 20, 2000

AN ORDINANCE ESTABLISHING AUTHORITY OF THE
PARISH PRESIDENT IN THE DETERMINATION TO IMPOSE
DROUGHT RESTRICTIONS WITHIN THE BOUNDARIES OF
WASHINGTON PARISH

WHEREAS, drought conditions plaque the parish from time to time and sometimes require prompt action by parish officials to protect the life, health, and property of citizens; and

WHEREAS, the day to day evaluation of drought conditions can fluctuate and create uncertainty for parish officials when determining if sufficient alleviating rainfall has occurred; and ..

WHEREAS, any restrictions necessitated by drought conditions and placed upon the citizens of Washington Parish because of such conditions should be kept to a minimum and acted upon quickly.

THEREFORE BE IT ORDAINED by the Washington Parish Council the following:

The authority to impose restrictions on any activities conducted within the unincorporated areas of the parish as a result of drought conditions shall rest with the Parish President.

Restrictions shall be placed only when the Parish President declares that existing drought conditions warrant said restrictions.

Restrictions shall be considered after informal consultation by the Parish President with officials located within the state and/or parish who are experienced in matters of climatology, meteorology, forestry, fire, and/or public safety.

Restrictions, which may be placed by the Parish President include, but are not limited to, outdoor burning activities, fireworks, water usage and measures to ensure citizen health and safety. Restrictions may be placed parish wide or limited to certain wards within the parish.

Restrictions shall be imposed and established by a written "Notice of Restrictions Due to Existing Drought Conditions" signed by the Parish President; and which describes the conditions necessitating the restrictions, the type of restrictions imposed, the effective date of the restrictions, the length of time said restrictions are to remain in effect, not to exceed thirty (30) days, and the areas of the parish covered by the restrictions. Subsequent Notices extending the restrictions may be executed without limitation.

A "Notice of Restrictions" shall cease to be effective and thus revoked upon expiration of its term, or by written declaration by either the Parish President with reasons for the revocation.

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 LSA R.S. 3:3602 (9).

Penalties for violation of a burn ban shall be as follows:

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

Local fire departments are hereby empowered to extinguish any and all fires that are in direct violation of this ordinance.

BE IT FURTHER ORDAINED that all ordinance or parts of ordinances in conflict herewith are hereby repealed. If any provision of this ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein, which can be given effect without the invalid provision, and to this end the provisions of this Ordinance are hereby declared to be severable.

WHEREUPON this ordinance was submitted to a vote and resulted as follows:

YEAS: 7 (Wheat, Miley, Brown, Sumrall, Thomas and Sharp)

NAYS: 0 (None)

ABSENT: 1 (Nassauer)

The ordinance was declared adopted at the Special Meeting of the Parish Council held on the 20th day of July, 2000.



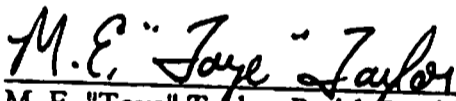
Kenneth Wheat, Chairman
Washington Parish Council

Delivered to the Parish President on

July 21, 2000 at 8:00 A.M.

Returned to the Council Clerk on

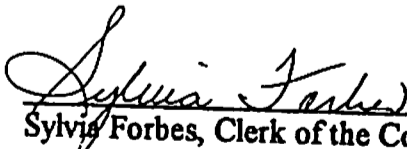
July 21, 2000 at 8:05 Am



M. E. "Toye" Taylor, Parish President
Washington Parish Government

CERTIFICATION

I hereby certify that the above and foregoing is a true and correct copy of an emergency ordinance adopted at a Special Meeting of the Washington Parish Council held on July 20, 2000 at the Parish Courthouse in Franklinton, Louisiana.



Sylvia Forbes, Clerk of the Council