

WASHINGTON PARISH COUNCIL
EMERGENCY ORDINANCE

NO. 00-243

Introduced by KENNETH WHEAT
Introduced on June 12, 2000
Public Hearing to be held on June 12, 2000

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 conditions that already have resulted in one hundred per cent (100%) increase in the number of reported grass and forest fires; and;

WHEREAS, these wild fires pose an increasing 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 President to ban open burning within the Parish of Washington due to the threat to life and property and the drain on parish fire fighting capabilities;

THEREFORE 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, the Washington Parish Council does hereby adopt this emergency ordinance providing for the prohibition of any and all open burning throughout the boundaries of Washington Parish;

ARTICLE 1. BE IT FURTHER ORDAINED that the Washington Parish Council does hereby authorize the Parish President to issue an Emergency Declaration so stating the intent of this ordinance.

ARTICLE 2. 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 invalid provisions, items or applications and to this end the provisions of this ordinance are hereby declared severable.

ARTICLE 3. BE IT FURHTER ORDAINED that all ordinances or parts of ordinances in conflict herewith are hereby repealed.

ARTICLE 4. BE IT FURTHER ORDAINED that the Council Clerk be and is hereby instructed, authorized and directed to have said ordinance published in the official journal of the Parish of Washington.

ARTICLE 5. 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 LSA R.S. 3:3602 (9).

ARTICLE 6. BE IT FURTHER ORDAINED that this ordinance shall become effective for a period of no longer than sixty (60) consecutive days or until the Parish President deems it unnecessary.

ARTICLE 7. 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 and each offense thereafter – violators will be fined \$500.00

ARTICLE 8. BE IT FURTHER ORDAINED that the local fire departments be empowered to extinguish any and all fires which are in direct violation of this ordinance.

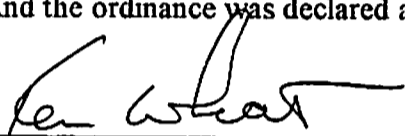
Upon being submitted to a vote, the roll call vote resulted as follows:

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

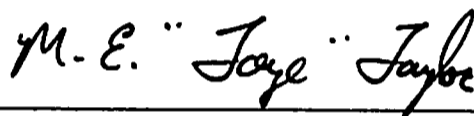
NAYS: 0 (None)

ABSENT: 0 (None)

And the ordinance was declared adopted on the 12th day of June, 2000.



Kenneth Wheat, Chairman
Washington Parish Council



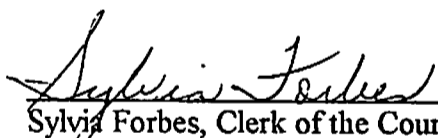
M. E. "TOYE" TAYLOR, PRESIDENT

Delivered to the Parish President on
June 12, 2000 at 7:45 P.M.

Returned to the Clerk of the Council on
June 12, 2000 at 8:00 P.M.

CERTIFICATION

I hereby certify that the above and foregoing is a true and correct copy of an emergency ordinance adopted by the Washington Parish Council in regular session held on Monday, June 12, 2000 in Franklinton, Louisiana.



Sylvia Forbes, Clerk of the Council
Washington Parish Council