AN ORDINANCE REGULATING FIRE PREVENTION

ORDINANCE NO. 340.001

AN ORDINANCE: PERTAINING TO PUBLIC HEALTH, SAFETY, AND WELFARE; REGULATING OPEN BURNING DURING PERIODS OF FIRE DANGER; PROVIDING A PENALTY FOR VIOLATION OF THE PROVISIONS OF THIS ORDINANCE.

Pursuant to Kentucky Revised Statues 149.401 a city or country has the authority to enact an ordinance banning all open burning during periods of extraordinary forrest fire hazard or fire occurrence.

NOW THEREFORE, BE IT ORDAINED by the Fiscal Court of the County of Nelson, Kentucky, that this ordinance shall be known as the Fire Prevention Ordinance.

SECTION A

Whenever the Division of Forestry of the Commonwealth of Kentucky notifies the county that an extraordinary fire hazard exists in the county, the County Judge/Executive shall proclaim such condition to exist in the county.

SECTION B

When a proclamation as provided for in division (A) of this section has been issued, the County Judge/Executive may by Executive Order ban the lighting or maintaining of an open fire and/or ban the use of any fireworks as defined in KRS 227.700 at any location in the county while such proclamation is in effect.

SECTION C

Notice of the Executive Order provided for in division (B) of this section shall be published in the newspaper of largest bona fide circulation in the county.

SECTION D

Any person who violates any provision of this ordinance shall be guilty of a misdemeanor

and shall, upon conviction, be fined not more than $500.

The provisions of this ordinance are severable and if any provisions or part thereof shall be held invalid or unconstitutional or inapplicable, it shall not affect or impair the remaining provisions of this ordinance.

This ordinance shall become effective upon final publication.

PASSED AND APPROVED THIS 17 day of _____ July _____, 2012.

_____
County Judge/Executive

ATTEST:

_____
County Clerk

First Reading: _____ July 3, 2012 _____   Second Reading: _____ July 17, 2012 _____
Published: _____ July 25, 2012 _____

Approved as to form and legality:

_____
Title: