

AMHERST TOWN CODE

CHAPTER 6

FIRE PROTECTION.¹

Sec. 6-1. (Repealed June 8, 2011)

Sec. 6-2. Burning of woods, brush, etc.²

It shall be unlawful for any owner or lessee of land to set fire to, or to procure another to set fire to, any woods, brush, logs, leaves, grass, debris, or other inflammable material upon such land unless he previously has taken all reasonable care and precaution, by having cut and piled the same or carefully cleared around the same, to prevent the spread of such fire to lands other than those owned or leased by him. It shall also be unlawful for any employee of any such owner or lessee of land to set fire to or to procure another to set fire to any woods, brush, logs, leaves, grass, debris, or other inflammable material, upon such land unless he has taken similar precautions to prevent the spread of such fire to any other land.

Except as provided in the Code of Virginia, during the period February 15 through April 30 of each year, even though the precautions required by the foregoing subsection have been taken, it shall be unlawful, in any county or city or portion thereof organized for forest fire control under the direction of the State Forester, for any person to set fire to, or to procure another to set fire to, any brush, leaves, grass, debris or field containing dry grass or other inflammable material capable of spreading fire, located in or within 300 feet of any woodland, brushland, or field containing dry grass or other inflammable material, except between the hours of 4:00 p.m. and 12:00 midnight.

Any person violating the provisions of this section shall be guilty of a Class 3 misdemeanor for each separate offense. *(Code 1965, Sec. 8-31) (Reference Code of Virginia 10.1-1142) (Amended September 12, 2007)*

¹For charter provisions as to authority of town to extinguish and prevent fires, see Char., art. IX, Sec. 1, subsec. (2). As to authority of town to enact stringent and effective laws for securing the safety of persons from fires in halls and buildings used for public assemblies, entertainment or amusements, see Char., art. IX, Sec. 1, subsec. (2). As to authority to direct the location and construction of buildings for storing explosives, etc.; to regulate the sale and use of explosives; to regulate or prevent the use of fireworks, firearms, bonfires, etc., see Char. art. IX, Sec. 1, subsec. (3).

For Virginia Fire Hazards Law, see Code of Virginia Sec. 27-63 et seq. For state law as to authority of town to adopt Fire Prevention Code, see Code of Virginia, Sec. 27-15.1. As to authority of town to regulate the keeping of gunpowder and combustibles, see Code of Virginia, Sec. 15.1-14. For state law as to explosives, see Code of Virginia, Sec. 59.1-137 et seq., and as to fireworks, see Sec. 59.142 et seq. As to town fire departments, see Code of Virginia, Sec. 27-6.1 et seq. As to false alarms of fires, see Sec. 11-13 of this Code.

²For charter provisions as to authority of town to regulate or prevent the making of bonfires within the town, see Char., art. IX, Sec. 1, subsec. (3). For similar state law, see Code of Virginia, Sec. 10-62. As to intentionally setting fire to woods, etc., whereby another is damaged, see Code of Virginia, Sec. 18.1-83.