

**SCOTT FISCAL COURT  
ORDINANCE NO. 11-01**

**AN ORDINANCE RELATING TO  
THE BANNING OF OPEN BURNING  
DURING DESIGNATED FIRE HAZARD PERIODS**

**WHEREAS**, KRS 149.401 authorizes local governments to ban open burning during periods of extraordinary forest fire hazard or fire occurrence upon notice by the Division of Forestry of the Commonwealth of Kentucky of such an emergency or hazardous condition; and

**WHEREAS**, the Scott Fiscal Court does believe it to be in the best interest of the citizens of Scott County, Kentucky, to implement the authority to issue orders to ban open burning;

**NOW, THEREFORE**, BE IT ORDAINED BY THE SCOTT FISCAL COURT as follows:

1. The Scott Fiscal Court declares it to be in the best interests of the citizens of Scott County, in order to promote and protect the natural resources and improvements thereto located within the County, to authorize the issuance of Executive Orders prohibiting open burning of flammable materials.
2. Upon notice from the Commonwealth of Kentucky, Division of Forestry, the Scott County Judge-Executive is hereby authorized to issue Executive Orders from time to time, that a period of extraordinary forest fire hazard or fire occurrences exists, banning the open burning of any flammable materials, to include trash, refuse, debris, waste, forest material, brush, stumps, logs, rubbish, fallen timber, grass, stubble, leaves, slash and grain during said periods.
3. An Executive Order banning the open burning of flammable materials as set forth above shall be published in the manner required by law for publication of ordinances. Said order shall be effective, however, upon proof of receipt of actual notice by any such violator or upon legal publication, whichever takes place first.

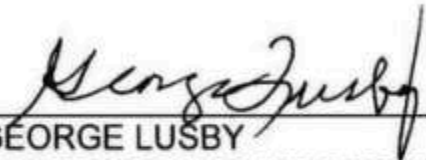
4. Violation of an Executive Order prohibiting the open burning of flammable materials shall constitute a violation punishable by a fine of not less than \$50.00 nor more than \$500.00 per occurrence. Any prosecution for violation of this Ordinance shall occur in the Scott District Court and may be by way of citation or by criminal complaint signed by a peace officer or private person.
5. This Ordinance shall become effective immediately upon passage and publication as required by law.

FIRST READING AND APPROVAL ON THE 11th DAY OF MARCH, 2011.

SECOND READING AND ADOPTION ON THE 24TH DAY OF MARCH,

2011

SCOTT FISCAL COURT

BY:   
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GEORGE LUSBY  
SCOTT COUNTY JUDGE/EXECUTIVE

ATTEST BY:

  
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SCOTT FISCAL COURT CLERK

sfc-burn-ban-ordinance