

ORDINANCE 2010 - 15

AN EMERGENCY ORDINANCE ENACTED PURSUANT TO FLORIDA STATUTES, SECTION 125.66, PROHIBITING BURNING OF TRASH AND YARD DEBRIS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners previously declared the existence of an emergency within the meaning of Florida Statutes, Section 252.38, by Proclamations of Emergency Administrative Orders for a duration commencing on December 23, 2010, to February 21, 2011; and

WHEREAS, in the previous Proclamations, all yard debris and trash burning were prohibited, except pursuant to permits issued by the State of Florida, Division of Forestry. The burn ban did not pertain to cooking on attended and monitored barbecue equipment; and

WHEREAS, based upon the Fire Chief's report, the severe drought conditions, giving rise to the declaration of the State of Emergency, continue to exist, and based upon projections, will continue for a considerable period of time; and

WHEREAS, the Board of County Commissioners, pursuant to Florida Statutes, Section 252.38, in order to declare an emergency, must meet at least every seven (7) days; and

WHEREAS, based upon information provided by the Fire Chief, the prohibition as to outdoor burning should remain in effect for at least sixty (60) days; and

WHEREAS, based on the drought index, it is in the best interest of the citizens to adopt, pursuant to an emergency ordinance, a prohibition as to outdoor burning of trash and debris.

NOW, THEREFORE, BE IT ORDAINED this 23rd day of December, 2010, by the Board of County Commissioners of Nassau County, Florida, as follows:

1. The Board of County Commissioners, pursuant to Florida Statutes, Section 125.66, does hereby prohibit the burning of yard debris and trash, except pursuant to permits issued by the State of Florida, for a period commencing December 23, 2010, through February 21, 2011, unless there is a report by the Fire Chief to the Board of County Commissioners to terminate the ban, and the Board of County Commissioners rescinds this Ordinance.

2. The burn ban, at this time, does not pertain to cooking on attended and monitored barbecue equipment, so long as that equipment is a contained gas or charcoal grill.

3. A violation of this Ordinance is a second degree misdemeanor, subjecting the violator to a penalty of ten

(10) days in jail and/or a fine of up to five hundred dollars (\$500.00) per violation.

4. This Ordinance shall take effect on December 23, 2010.

5. Copies of this Ordinance shall be distributed to the Sheriff's Office, State attorney's Office, News-Leader, Florida Times-Union, television stations, Chambers of Commerce, County bulletin boards, Florida Division of Forestry, Fire Chief, each Fire Station and Volunteer Fire Station, County website, and cable channels.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



Walter J. Boatright
Its: Chairman

ATTEST:



JOHN A. CRAWFORD
Its: Ex-Officio Clerk

Approved as to form by the
Nassau County Attorney



David A. Hallman

Emily B. Murphy, Assistant
County Attorney

**NASSAU COUNTY BOARD OF COUNTY COMMISSIONERS
PROCLAMATION OF EMERGENCY ADMINISTRATIVE ORDER**

WHEREAS, on January 20, 2001, the Board of County Commissioners adopted an Emergency Ordinance No. 2001-04, (hereinafter the Ordinance) invoking the powers provided in Chapter 252, Florida Statutes, due to the drought conditions, and the brush fire threat created thereby; and

WHEREAS, severe drought conditions giving rise to the declaration of the State of Emergency continue to exist, justifying an extension of the declaration of a State of Emergency for a period up to and including February 21, 2011.

NOW, THEREFORE, BE IT PROCLAIMED this 23rd day of December, 2010 that:

Pursuant to the authority granted by Nassau County Ordinance No. 2001-04, the Board of County Commissioners of Nassau County, Florida, this 23rd day of December, 2010 does hereby establish a State of Emergency as set forth in Section 252.38, Florida Statutes, for a period commencing December 23, 2010 through February 21, 2011.

All yard debris and trash burning shall be prohibited except pursuant to permits issued by the State of Florida Division of Forestry. Cooking on attended and monitored gas or charcoal contained barbecue equipment is not prohibited.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA

Attest as to
Chairman's signature:



JOHN A. CRAWFORD
Its: Ex-Officio Clerk



WALTER J. BOATRIGHT
Its: Chairman

Approved as to form and legality
By the Nassau County Attorney:



DAVID A. HALLMAN
Emily B. Murphy
Assistant County Attorney