

VIRGINIA ACTS OF ASSEMBLY -- 1994 SESSION

CHAPTER 358

An Act to amend and reenact § 10.1-1321 of the Code of Virginia, relating to local ordinances regarding air pollution.

[H 1308]

Approved April 5, 1994

Be it enacted by the General Assembly of Virginia:

1. That § 10.1-1321 of the Code of Virginia is amended and reenacted as follows:

§ 10.1-1321. Local ordinances.

A. Existing local ordinances adopted prior to July 1, 1972, shall continue in force; however, in the event of a conflict between a Board regulation and a local ordinance *adopted prior to July 1, 1972*, the Board regulation shall govern, except when the conflicting local ordinance is more stringent.

B. The governing body of any locality proposing to adopt an ordinance, or an amendment to an existing ordinance, relating to air pollution after June 30, 1972, shall first obtain the approval of the Board as to the provisions of the ordinance or amendment. ~~The Board shall not approve any local ordinance less stringent than the pertinent regulations of the Board.~~ *No ordinance or amendment, except an ordinance or amendment pertaining solely to open burning, shall be approved by the Board which regulates any emission source that is required to register with the Board or to obtain a permit pursuant to this chapter and the Board's regulations.*