

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 10.1-1142 of the Code of Virginia, relating to regulation of burning.*

3 [S 370]

4 Approved

5 **Be it enacted by the General Assembly of Virginia:**6 **1. That § 10.1-1142 of the Code of Virginia is amended and reenacted as follows:**

7 § 10.1-1142. Regulating the burning of woods, brush, etc.; penalties.

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

16 B. During the period ~~beginning March 1 and ending May 15~~ *February 15 through April 30* of each
17 year, even though the precautions required by the foregoing subsection have been taken, it shall be
18 unlawful, in any county or city or portion thereof organized for forest fire control under the direction of
19 the State Forester, for any person to set fire to, or to procure another to set fire to, any brush, leaves,
20 grass, debris or field containing dry grass or other inflammable material capable of spreading fire,
21 located in or within 300 feet of any woodland, brushland, or field containing dry grass or other
22 inflammable material, except between the hours of 4:00 p.m. and 12:00 midnight.

23 The provisions of this subsection shall not apply to any fires which may be set on ~~rights-of-way of~~
24 ~~railroad companies by their authorized employees~~ *federal lands and, between February 15 and March 1*
25 *of each year, on lands owned by the Department of Game and Inland Fisheries.*

26 C. Any person who builds a fire in the open air, or uses a fire built by another in the open air,
27 within 150 feet of any woodland, brushland or field containing dry grass or other inflammable material,
28 shall totally extinguish the fire before leaving the area and shall not leave the fire unattended.

29 D. Any person violating any provisions of this section shall be guilty of a Class 3 misdemeanor for
30 each separate offense. If any forest fire originates as a result of the violation by any person of any
31 provision of this section, such person shall, in addition to the above penalty, be liable to the
32 Commonwealth for the full amount of all expenses incurred by the Commonwealth in suppressing such
33 fire. Such amounts shall be recoverable by action brought by the State Forester in the name of the
34 Commonwealth on behalf of the Commonwealth and credited to the Forestry Operations Fund.

ENROLLED

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