

CH 18A

Concerning Lumber Storage & Burning

Article 1: Concerning Lumber Storage

1. It shall be the duty of every person, firm, or corporation owning or operating a lumber yard to have the same equipped with sufficient fire apparatus to handle any small fires which may start and to prevent their spreading.
2. It shall be unlawful to pile any lumber in a lumber yard in such a way that the lumber is hanging over, or in danger of falling onto any adjoining property, street, alley or public way.
3. It shall be the duty of the fire chief and, to the extent not otherwise provided for in Chapter 5 of the Town Ordinances, The Code Enforcement Officer to inspect or cause to be inspected every lumber yard in the city, and to insure compliance with the provisions of this ordinance.
4. It shall be the duty of the Police Department of the Town of Chapmanville, to enforce the provisions of this ordinance after notification by the Chief of the Fire Department or Code Enforcement Officer of any violations of such ordinance.
5. Any person violating the provisions of this Article shall be deemed guilty of a misdemeanor
6. Definition of Lumber Yard
 - a. For the purposes of enforcement of Town Code or Ordinance, Lumber Yard shall mean any bulk storage of Lumber or Timber, including but not limited to Logging operations, hardware stores, or bulk storage on personal property for building.
 - b. Well organized firewood storage for personal heating shall be considered exempt from this ordinance.
 - c. Clearing/ cutting trees from one's own property shall be considered exempt from this ordinance, as long as said lumber or timber is not sold and remains on the same property from which it was cut, or is used for firewood.
7. Sediment Control
 - a. Lumber Yards and Logging operations in city limits must adhere to the following Best Management Practices (BMP)
 - i. Perimeter controls
 1. Any Lumber Yard operating on an unstabilized surface must install perimeter controls around their Lumber Yard if either of the following conditions are met
 - a. Lumber yard is operating within one hundred foot of a creek, stream, or Guyandotte River, or

An Ordinance to ~~strike, amend, and insert~~ different sections of Chapter 18A of the Ordinances of the Town of Chapmanville, WV. Be it ordained by the Town of Chapmanville, that upon passage this will be considered the entirety of Chapter 18A of the ordinances of the Town of Chapmanville

- b. Lumber Yard has caused unstabilized ground disturbance over five thousand Square foot
- ii. Stabilization
 1. Entrance
 - a. Any access to a public roadway must be stabilized as a Construction Entrance in accordance with the WV BMP Manual from the WV Department of Environmental Protection (DEP).
 - b. Any sediment from a lumber yard or associated worksite that migrates offsite must be cleaned immediately to avoid contamination of city maintained storm drains, or pollution of public waters.
 2. Any disturbance from or associated with lumber yards must be stabilized, or stabilization measures begun, in accordance with the WV BMP Manual from the WV DEP within 14 days
- iii. Exemptions
 1. Disturbance from lumber yards associated with construction of a single family dwelling shall be considered exempt from these measures except §7.a.ii.1 of this article.

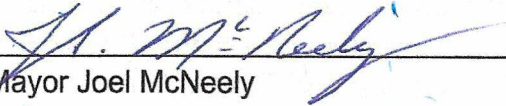
Article 2: Concerning Burning

- 1) This ordinance applies to any outdoor fire used for warmth or celebration.
- 2) Property owners / property residents are responsible for any fires they permit to be set on their property.
- 3) No Trash or refuse shall be burned in the limits of the Town of Chapmanville.
- 4) Only wood and wood products are permissible for burning inside the limits of the Town of Chapmanville.
- 5) While an outdoor fire is burning, there shall be a person on the property at all times who shall be responsible for control of the fire.
 - a) If a fire is found without a responsible party on the property, the property owner shall be held responsible for all enforcement actions taken.
- 6) When the WV Division of Forestry Issues a Burn Ban, the Police Department of the Town of Chapmanville will have the authority to enforce said ban.
- 7) Any Person violating the provisions of this article shall be cited as follows.
 - a) First offense per fire will be a warning
 - b) If the fire is not promptly extinguished, the officer may enforce a fine of up to 40 25 dollars per hour the fire persists.


First Reading:10/08/24
Second Reading:11/12/24

An Ordinance to Strike, amend, and insert different sections of Chapter 18A of the Ordinances of the Town of Chapmanville, WV. Be it ordained by the Town of Chapmanville, that upon passage this will be considered the entirety of Chapter 18 of the ordinances of the Town of Chapmanville

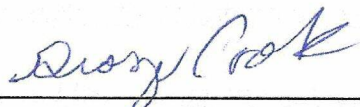


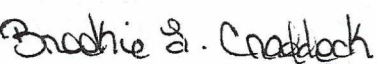

Third Reading: 12-10-24



Mayor Joel McNeely



Recorder Phillip Williamson

Council