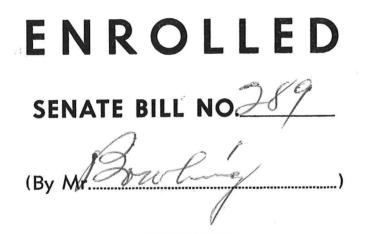
## WEST VIRGINIA LEGISLATURE

## **REGULAR SESSION, 1953**



PASSED March 14 1953 In Effect..... Passage



## ENROLLED

## Senate Bill No. 289

(By Mr. Bowling)

[Passed March 14, 1953; in effect from passage.]

AN ACT to amend and reenact section four-a, article nine, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the control and prevention of fires in the forests of the state and the powers of the director of conservation with respect thereto.

Be it enacted by the Legislature of West Virginia:

That section four-a, article nine, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 4-a. Fire Seasons; Permits; Closure of Forest 2 Land.—The period of each year between March first and Enr. S. B. No. 289]

3 May thirty-first inclusive and October first and December thirty-first inclusive, are hereby designated as forest fire 4 seasons. No person shall during the fire season, except 5 between the hours of five o'clock P. M. to five o'clock 6 A. M., set on fire or cause to be set on fire any forest land, 7 grass, stubble, brush, slash, debris, or any other inflam-8 9 mable substance, on either his own or the property of 10 another. If any such burning results in the escape of 11 fire and injury to the property of another, such escape 12 shall be prima facie evidence that the burning was not 13 safe and was in violation of this section. Industrial and 14 special permits may be issued by the director or his au-15 thorized representatives.

16 The director may refuse, revoke, postpone or suspend 17 all burning when necessary to prevent danger to life or 18 property. A permit obtained through wilful misrepresen-19 tation shall be invalid. If the director finds that condi-20 tions in any locality of the state so require, he may sus-21 pend any or all permits issued under this section and pro-22 hibit absolutely the use of all fires.

23 In case of danger from fire to life or property, the di-

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24 rector may close any forest land or any part thereof to25 all entry, until the period of danger is past.

Industrial and other bona-fide users may continue operations by taking all necessary and adequate precautions to prevent, control and suppress any fire in the area of operation. Failure to take such action will result in suspension of such operations during the period of such forest fire danger, and such failure will be prima facie evidence of a violation of this section.

The presence of any person or persons entering or being upon any forest land so closed and not a bona-fide user of the forests, will also be prima facie evidence of a violation of this section.

AND IN COMPANY

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Enr. S. B. No. 289]

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled. Çhairman Senate Committee Chairman House Committee Originated in the Senate. Takes effect passage. Clerk of the Senate Clerk of the House of Delegates President of the Senate Speaker House of Delegates The within ed this the 19th 4 day of ..., 1953. mai (1), Oliano alon Governor. the Unice of the Statementy of State THES

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