WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1953

ENROLLED
SENATE BILL NO. 289
(By Mr. ______________)

PASSED ______________ 1953
In Effect from ______________ 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 Land.—The period of each year between March first and
May thirty-first inclusive and October first and December thirty-first inclusive, are hereby designated as forest fire seasons. No person shall during the fire season, except between the hours of five o'clock P. M. to five o'clock A. M., set on fire or cause to be set on fire any forest land, grass, stubble, brush, slash, debris, or any other inflammable substance, on either his own or the property of another. If any such burning results in the escape of fire and injury to the property of another, such escape shall be prima facie evidence that the burning was not safe and was in violation of this section. Industrial and special permits may be issued by the director or his authorized representatives.

The director may refuse, revoke, postpone or suspend all burning when necessary to prevent danger to life or property. A permit obtained through wilful misrepresentation shall be invalid. If the director finds that conditions in any locality of the state so require, he may suspend any or all permits issued under this section and prohibit absolutely the use of all fires.

In case of danger from fire to life or property, the di-
rector may close any forest land or any part thereof to 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.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signature]
Chairman Senate Committee

[Signature]
Chairman House Committee

Originated in the Senate.

Takes effect from passage.

[Signature]
Clerk of the Senate

[Signature]
Clerk of the House of Delegates

[Signature]
President of the Senate

Speaker House of Delegates

The within approved this the 19th day of March, 1953.

[Signature]
Governor.

[Stamp]
MAR 19, 1953

D. Pitt O'Brien,
Secretary of State