

DEC 12 2006

ORDINANCE NO. 116A-38BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 11, HEALTH AND SANITATION, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY ADDING ARTICLE VIII, DEBRIS MANAGEMENT FOLLOWING A DISASTER, SECTION 11-72, PURPOSE OF ARTICLE; 11-73, DEFINITIONS; AND SECTION 11-74, DEBRIS REMOVAL ON LOCALLY MAINTAINED ROADS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 11, Health and Sanitation, is hereby amended and reordained by adding Article VIII, Debris Management Following a Disaster, Section 11-72, Purpose of article; Section 11-73, Definitions; and Section 11-74. Debris removal on locally maintained roads

Article VIII Debris Management Following a Disaster

Section 11-72 Purpose of article.

The removal of debris from local roads following an emergency is necessary to eliminate or lessen an immediate threat to life, public health and safety and to eliminate immediate threats of significant damage to improved property.

Section 11-73 Definitions.

For the purposes of this article, the following words or phrases shall have the meanings respectively ascribed to them by this section.

Debris removal. The clearance of disaster-related material from public or private rights-of-way.

Emergency. Any natural or man-made disaster or other emergency for which a local, state or federal declaration of emergency is declared.

Local roads. Private roads which serve more than five homes where the underlying owner has entered into a memorandum of understanding with the county and public roads designated in a memorandum of agreement with the VDOT resident administrator;

Memorandum of understanding. An agreement between the county and the owner of a privately-owned road or the VDOT resident administrator for publicly owned roads in a form approved by the county attorney and executed by the county administrator.

Section 11-74. Debris removal on locally maintained roads.

Pursuant to the County's duty to protect the health and safety of its citizens and through its police power authority, the county, its contractors, agents, employees or assigns shall be responsible for the removal and disposal of debris from local roads in the event of an emergency. The county director of emergency management shall assume responsibility for implementing and overseeing the removal and disposal of debris on local roads.

State law references - Code of Va., §§ 15.2-1200; 15.2-1201; 44-146.21.



Bruce C. Goodson
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
HARRISON	AYE
ICENHOUR	AYE
MCLENNON	AYE
BRADSHAW	AYE
GOODSON	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of December, 2006.

DebrisMgmt.ord