

**ORDINANCE AMENDING AND RE-ENACTING SECTION 5-2-18, 5-2-19 and 5-2-20.
OF THE
HARRISONBURG CITY CODE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HARRISONBURG,
VIRGINIA:**

That Section 5-2-18 be amended and re-enacted as follows:

- **Sec. 5-2-18. - Purpose.**

The city council hereby finds that the use of combustible landscape cover material ~~(mulch)~~ abutting or in very close proximity to buildings constructed with combustible siding is a fire hazard and constitutes a hazard to safety of such building and, more importantly, to the occupants of and visitors to such building. The regulation of the placement of ~~mulch~~ combustible landscape cover material near combustible buildings is necessary to the health, safety, and welfare of the citizens of the city and is authorized pursuant to Virginia Code Sections 15.2-110~~2~~4 and 27-97, and Sections 101.5 and 110.1 of the Virginia Statewide Fire Prevention Code, which has been duly adopted by the city by section 5-2-1 of the Code of the City of Harrisonburg.

That Section 5-2-19 be amended and re-enacted as follows:

- **Sec. 5-2-19. - Use of combustible landscape cover material.**

Combustible landscape cover material ~~(mulch)~~ shall not be placed within eighteen (18) inches of buildings with combustible siding, including, but not limited to, vinyl siding, wood siding, or Masonite. ~~The eighteen (18) inch space between the edge of the mulch and the structure shall be filled with a non-combustible material such as stone or gravel.~~ This ordinance shall apply to Occupancy Classifications A, B, E, F, H, I, M, R-1, R-2, R-4, as defined by the 2012 Virginia Construction Code, and to detached single family R-3 and R-5 residential structures being utilized as a child care facility or adult care facility. This ordinance shall not apply to any building which has a non-combustible foundation which rises at least six (6) feet above the mulch.

That Section 5-2-120 be amended and re-enacted as follows:

- **Sec. 5-2-20. - Effective date.**

This ordinance shall become effective upon passage by the Harrisonburg City Council. Mulch Combustible landscape cover material beds in existence on the effective date of this ordinance, ~~shall meet the requirements of this ordinance when they are restocked, but in no event later than July 1, 2016.~~ will not require the removal of any combustible landscape cover material, however, no new combustible landscape cover material may be added within 18" of building as outlined in Section 5-2-19.

This ordinance shall be effective on the ____ day of _____ 2016

ADOPTED AND APPROVED this _____ day of _____, 2016.

MAYOR

ATTEST:

City Clerk