

Draft

ORDINANCE AMENDING AND RE-ENACTING  
TITLE 5, CHAPTER 2  
OF THE  
CODE OF ORDINANCES  
CITY OF HARRISONBURG, VIRGINIA

**Be it ordained by the Council of the City of Harrisonburg, Virginia:**

**That Title 5, Chapter 2 be amended and re-enacted as follows:**

**Sec. 5-2-14. Penalty for violation of sections ~~5-2-10, 5-2-11 and 5-2-13.~~ Title 5, Chapter 2.**

**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 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 15.2-1101 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.

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

Combustible landscape cover material (mulch) shall not be placed within 18 inches of buildings with combustible siding, including, but not limited to, vinyl siding, wood siding, or Masonite. The 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 feet above the mulch.

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

This ordinance shall become effective upon passage by the Harrisonburg City Council. Mulch 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.

The remainder of Title 5, Chapter 2 is reaffirmed and reenacted in its entirety, except as hereby modified.

This ordinance shall be effective from the 14 day of April, 2015. Adopted and approved this 14 day of April, 2015.

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**MAYOR**

ATTESTE:

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CITY CLERK