

**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 eighteen (18) inches 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