APA-4

CERTIFICATION OF EMERGENCY RULES
FILED WITH LEGISLATIVE REFERENCE SERVICE
OTHNI LATHRAM, INTERIM DIRECTOR

Pursuant to ALA. CODE §§ 41-22-5(b) and 41-22-6(c)(3):

I certify that the attached new emergency rule is a correct copy as promulgated and adopted on the 7th day of November, 2016.

AGENCY NAME: Alabama Forestry Commission

RULE NO. AND TITLE: 390-x-9-.04ER – DROUGHT EMERGENCY DECLARATION

EFFECTIVE DATE OF RULE: November 7, 2016 (3:00 p.m.)

EXPIRATION DATE (if less than 120 days): Until rescinded

NATURE OF EMERGENCY: Severe drought conditions throughout all 67 counties of the State of Alabama have produced extraordinary danger from fire, necessitating this emergency rule. This rule will prohibit outdoor burning in all counties in the State of Alabama.

STATUTORY AUTHORITY: ALA. CODE § 9-13-140

SUBJECT OF RULE TO BE ADOPTED ON PERMANENT BASIS: ____ YES __X__ NO

NAME, ADDRESS, AND TELEPHONE NUMBER OF PERSON TO CONTACT FOR COPY OF RULE:

Scott L. Rouse
General Counsel
Alabama Forestry Commission
P. O. Box 302550
Montgomery, AL 36130-2550
(334) 240-9342
scott.rouse@forestry.alabama.gov

REC'D & FILED
NOV 07 2016
LEGISLATIVE REF SERVICE

Gary Cole
Interim State Forester

APPROVED: Robert Bentley
Robert Bentley
Governor

ALABAMA FORESTRY COMMISSION
ADMINISTRATIVE CODE

CHAPTER 390-X-9
DECLARATION OF EMERGENCY DROUGHT CONDITION

390-X-9-.04ER

The Alabama Forestry Commission, by and through its State Forester and pursuant to ALA. CODE § 9-13-140, hereby declares that emergency drought conditions exist which produce extraordinary danger of wildfires in all 67 counties of the State of Alabama.

Pursuant to this emergency rule, and until this declaration is rescinded, it shall be unlawful, in any county in the State of Alabama, for any person to set fire to any forest, grass, woods, wildlands, or marshes or to build a campfire or bonfire or to burn trash or other material that may cause a forest, grass, or woods fire. Anyone who violates this prohibition shall be subject to criminal sanctions in accordance with ALA. CODE § 9-13-142.

This rule shall supersede and replace the emergency drought declaration promulgated on October 12, 2016 as ALA. ADMIN. CODE § 390-X-.03ER.

Author: Scott L. Rouse
Statutory Authority: ALA. CODE § 9-13-140
History: Promulgated as emergency regulation on November 7, 2016 (3:00 p.m.)