

**CERTIFICATION OF EMERGENCY RULES
FILED WITH THE
LEGISLATIVE SERVICES AGENCY
OTHNI LATHRAM, DIRECTOR**

Pursuant to Code of Alabama 1975, §§41 22 5(b) and 41 22 6(c) (2)a. and b.

I certify that the attached emergency new rule is a correct copy as promulgated and adopted on Thursday, November 16, 2023.

AGENCY NAME:	Alabama Forestry Commission
RULE NO. AND TITLE:	390-X-1-.04 DROUGHT EMERGENCY DECLARATION (SPECIFIED COUNTIES)
EXPIRATION DATE OF RULE:	Friday, March 15, 2024
NATURE OF EMERGENCY:	Severe drought conditions in specified counties in the State of Alabama have produced extraordinary danger from fire, necessitating this emergency rule. This rule will prohibit outdoor burning in specified counties within the State of Alabama. This rule shall supersede all previous emergency drought regulations.
STATUTORY AUTHORITY:	ALA. CODE § 9-13-140
SUBJECT OF RULE TO BE ADOPTED ON A PERMANENT BASIS:	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) 240-9300 scott.rouse@forestry.alabama.gov

Scott L. Rouse

Scott L. Rouse

Signature of officer authorized
to promulgate and adopt rules and
regulations or his or her deputy

REC'D & FILED
 NOV 16, 2023
 LEGISLATIVE SVC AGENCY

390-X-1-.04**DROUGHT EMERGENCY DECLARATION (SPECIFIED COUNTIES) .**

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 the following specified counties in the State of Alabama:

Bibb, Blount, Calhoun, Chambers, Cherokee, Chilton, Clay, Cleburne, Colbert, Coosa, Cullman, DeKalb, Etowah, Fayette, Franklin, Jackson, Jefferson, Lamar, Lauderdale, Lawrence, Limestone, Madison, Marion, Marshall, Morgan, Pickens, Randolph, St. Clair, Shelby, Talladega, Tallapoosa, Tuscaloosa, Walker, and Winston.

Pursuant to this emergency rule, and until this declaration is superseded or rescinded, it shall be unlawful, in any of the above-named counties in the State of Alabama, for any person to set fire to any forest, grass, woods, wildlands, or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 emergency regulation shall supersede Rule 390-X-1-.03, which previously declared a statewide drought emergency.

Author: Scott L. Rouse

Statutory Authority: ALA. CODE § 9-13-140

History: Statewide emergency drought declaration approved by Governor Kay Ivey on November 8, 2023; promulgated as emergency regulation (Rule 390-X-1-.03), which was made effective on November 9, 2023 (8:00 a.m.); this emergency drought declaration for specified counties shall become effective on November 17, 2023 (5:00 p.m.).

Penalty: As provided in ALA. CODE § 9-13-142

390-X-1-.04

**DROUGHT EMERGENCY DECLARATION (SPECIFIED
COUNTIES) .**

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 the following specified counties in the State of Alabama:

Bibb, Blount, Calhoun, Chambers, Cherokee, Chilton, Clay, Cleburne, Colbert, Coosa, Cullman, DeKalb, Etowah, Fayette, Franklin, Jackson, Jefferson, Lamar, Lauderdale, Lawrence, Limestone, Madison, Marion, Marshall, Morgan, Pickens, Randolph, St. Clair, Shelby, Talladega, Tallapoosa, Tuscaloosa, Walker, and Winston.

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This emergency regulation shall supersede Rule 390-X-1-.03, which previously declared a statewide drought emergency.

Author: Scott L. Rouse

Statutory Authority: ALA. CODE § 9-13-140

History: New Rule (ER): Filed November 16, 2023; effective November 16, 2023; expires 120 days, March 15, 2024.

Penalty: As provided in ALA. CODE § 9-13-142