

RESOLUTION NO. 22-2018

A RESOLUTION ENACTING STAGE I FIRE RESTRICTIONS

WHEREAS, the Fergus County Board of Commissioners has the authority to declare a local emergency pursuant to Montana Code Annotated § 10-3-402 and take action consistent with Title 10, Chapter 3, Part 4; and

WHEREAS, the recent hot, dry weather has created conditions that are ripe for wildfire; and

WHEREAS, the Lewistown Area Fire Restrictions Group has enacted Stage I Fire Restrictions beginning at 12:01 a.m. on August 17, 2018; and

WHEREAS, the Board of County Commissioners wishes to reduce the possibility of human-caused wildfires, thereby reducing resource and property damage; protecting the public's health and safety; and diminishing the strain on firefighting personnel, equipment, and budgets;

NOW, THEREFORE, BE IT RESOLVED:

1. The following acts are prohibited until further notice.

- a. Building maintaining, attending, or using a campfire.
- b. Smoking, except within an enclosed vehicle or building, a developed recreation site or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable materials.

2. The following exemptions shall be in place.

- a. Persons with a written permit that specifically authorizes the otherwise prohibited act.
- b. Persons using a device solely fueled by liquid petroleum or LPG fuels that can be turned on and off. Such devices can only be used in an area that is barren or cleared of all overhead and surrounding flammable materials within 3 feet of device.
- c. Persons conducting activities in those designated areas where the activity is specifically authorized by written posted notice.
- d. Any Federal, State, or local officer, or member of an organized rescue or firefighting force in the performance of an official duty.
- e. All land within a city boundary is exempted.

f. Other exemptions unique to each agency/tribe.

g. Campfires in a developed recreation site in a fire ring are permitted.

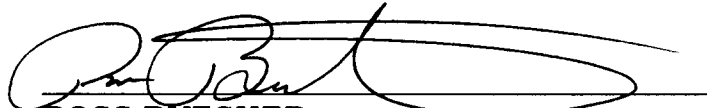
3. Exemptions may be obtained from the Fergus Count Fire Warden. Operations that are not covered under an exemption listed above may be granted on an individual exemption permit by the agency having jurisdiction on a case-by-case basis. All new construction occurring outside of a developed area requires an individual exemption permit. **An exemption does not absolve an individual or organization from liability or responsibility for any fire started by the exempted activity.**

6. Montana State Law requires that anyone who causes a wildland fire is financially liable for suppression costs and damages.

7. This Resolution takes effect at 12:01 a.m. August 17, 2018.

ADOPTED this 20th day of August, 2018 by the Board of Commissioners, Fergus County, Montana.

BOARD OF COMMISSIONERS:


ROSS BUTCHER


SANDY YOUNGBAUER


CARL SEILSTAD

ATTEST:


RANA WICHMAN, Clerk & Recorder