

RESOLUTION 33 - 2021

A RESOLUTION IMPOSING A STAGE 2 FIRE RESTRICTIONS/BURN BAN IN MADISON COUNTY

WHEREAS, the Commission passed and adopted Resolution 26-2021 a Burn Ban in Madison County signed June 22, 2021; Resolution 27-2021 a resolution amending resolution 26-2021 a Burn/Fireworks ban in Madison County signed June 30, 2021; and

WHEREAS, current severe and extreme drought conditions exist, high winds, record high temperatures, low relative humidity, low water supplies, lack of precipitation, historically low fuel moisture levels, high levels of fire activity, which have contributed to a dangerous level of active and forecasted fire hazard and wildland fire danger within Madison County; and

WHEREAS, Stage 2 Fire Restrictions currently in place throughout the BeaverHead Deer Lodge National Forest managed by the U.S. Department of the Interior Bureau of Land Management, U.S. Forest Service, U.S. Fish & Wildlife Service, Montana Department of Natural Resources & Conservation, Montana Fish Wildlife & Parks, and the National Park Service effective July 23, 2021; and

WHEREAS, the Madison County Board of Commissioners declares that all the private land not under the jurisdiction of the municipalities or state or federal agencies is a high fire hazard area; and

NOW, THEREFORE, BE IT RESOLVED that **A Stage 2 Fire Restriction** is in effect for all private lands in Madison County, due to **HIGH** wildland fire danger; and

BE IT FURTHER RESOLVED that all activities that might potentially cause a fire shall cease immediately and be prohibited until further notice. Activities that might cause a fire include but are not limited to:

NOT ALLOWED:

- Igniting, building, maintaining, attending, or using a fire or campfire
- No open burning of any kind.
- No use of fireworks.
- No outdoor cooking using charcoal, or the use of tiki torches.
- The following acts are prohibited from 1:00 pm to 1:00 am:
 - No construction site activities
 - Welding, or operating acetylene or other torch with open flame
 - Using explosives

ALLOWED:

- Open cooking where devices with an on/off switch that use LPG fuels, in a 3-foot diameter area clear of flammable materials.
- Smoking in a vehicle, in a building, or in a 3-foot diameter area clear of flammable materials.

- Repair/maintenance/construction of infrastructure, public utilities, if: fire extinguisher or fire suppression equipment is immediately available.
- Persons with approved exemption that authorizes the prohibited act (exemptions obtained through Madison Office of Emergency Management/Fire Warden)
- Federal Lands are not included in this County Burn Ban. Please check with USFS Office for federal land status or visit <https://www.mtfireinfo.org/>
- Check with local municipalities for ordinances or resolutions concerning the this or other burn or fire restrictions.

Any exemptions to the Burn Ban must be approved in writing by the local District Fire Chief, and the Madison County Fire Warden.

An exemption must be applied for and submitted to the Office of Emergency Management/Fire Warden 5 business days prior to the scheduled event.

AN EXEMPTION DOES NOT ABSOLVE AN INDIVIDUAL OR ORGANIZATION FROM LIABILITY OR RESPONSIBILITY FOR ANY FIRE STARTED BY THE EXEMPTED ACTIVITY.

BE IT FURTHER RESOLVED that in accordance with MCA section 7-33-2206 any person found in violation maybe charged with a misdemeanor, and may also be billed for the costs of an emergency and/or rural fire department response.

BE IT FUTHER RESOLVED that this resolution becomes effective once passed and adopted on July 27, 2021 and shall remain in effect until such time as it may temporarily be lifted by the Madison County Fire Warden or amended or rescinded by the Madison County Board of Commissioners.

PASSED AND ADOPTED by the Madison County Board of County Commissioners this the 27th Day of July, 2021.

Dan W. Allhands, Chairman

James P. Hart

Attest: _____
Paula McKenzie, Clerk and Recorder

Ronald E. Nye

Board of Commissioners, Madison County