

RESOLUTION 39-2021

RESOLUTION RESCINDING STAGE 2 FIRE RESTRICTIONS/BURN BAN RESOLUTION 33-2021 IN MADISON COUNTY

WHEREAS, in accordance with Madison County Resolution 33-2021, on July 27, 2021; Resolution 33-2021 was passed and adopted, imposing a Stage 2 Fire Restriction/Burn Ban within Madison County; and

WHEREAS, the majority of Madison County is still under the effect of a D4 Exceptional Drought; and

WHEREAS, the collaboration of federal and state partners, it is determined that the recent and extended weather forecast are still of concern but conditions are more favorable to revert back to Stage 1 Burn/Fireworks Ban within Madison County in accordance with Resolution 27-2021 passed and adopted on June 30, 2021; and

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

NOT ALLOWED

- No open burning of any kind.
- No use of fireworks.

ALLOWED

- Fires within liquid-fueled or gas-fueled stoves, fireplaces within buildings, charcoal grill.
- Fires within wood burning stoves within buildings only.
- Fire suppression or fire department training fires.
- Small recreational fires at developed picnic or campground sites contained in fixed permanent metal/steel fire pits (ROCK RINGS ARE CONSIDERED TEMPORARY NOT PERMANENT) with flame lengths not in excess of three feet.
- Residential use of charcoal grills, Tiki torches, fires in chimneys or other portable fireplaces or patio fire pits, as long as the fires are supervised by a responsible person at least 18 years old.
- Professional fireworks displays approved by the District Fire Chief for the location of the event.
- 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 authorized use of fireworks

An exemption to the Burn Ban must be applied for, submitted, and approved in writing by the local District Fire Chief, and the Madison County 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.

NOW, THEREFORE BE IT RESOLVED that the Madison County Stage 2 Fire Restrictions/Burn Ban be rescinded and the Madison County Stage 1 Burn/Fireworks Ban is still in effect.

Effective this 31st day of August, 2021.

PASS and ADOPTED by the Madison County Board of Commissioners this 31st of August, 2021.

DAN W. ALLHANDS, CHAIRMAN

JAMES P. HART

Attest: _____
Paula McKenzie, Clerk and Recorder

RONALD E. NYE

Board of Commissioners, Madison County