RESOLUTION 2017 - 116

A RESOLUTION TO AMEND THE STAGE ONE FIRE RESTRICTIONS PROCLAMATION

WHEREAS, the Stage One Fire Restrictions Proclamation adopted on August 3, 2017 did not adequately articulate that the Stage 1 restrictions applied to campfires on private or public property; and,

WHEREAS, it is resolved that the following underlined language is adopted to clearly define the use of campfires on private and public property; and,

WHEREAS, this Proclamation is issued in compliance with Sections 7-1-101 and 7-33-2205 of the Montana Code Annotated.

NOW THEREFORE BE IT RESOLVED THAT the following acts are prohibited on private and public property until further notice:

1. Building, maintaining, attending or using a fire or campfire unless noted in the exemptions below.
2. 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.

BE IT FURTHER RESOLVED that the following is a list of exemptions:

a. Campfires on private or public property only if they are within an improved fire ring or pit made of solid metal, stone or cement and no larger than 48 inches across.
b. Persons with a written permit that specifically authorizes the otherwise prohibited act.
c. Persons using a device solely fueled by liquid petroleum or LPG fuels that can be turned on and off.
d. Persons conducting activities in those designated areas where the activity is specifically authorized by written posted notice.
e. Any Federal, State of local officer or member of an organized rescue or firefighting force in the performance or an official duty.
f. All land within a city boundary is exempted.
g. Other exemptions unique to each agency/tribe.

Dated this _____22_____ day of August, 2017.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS

Susan Good Geise, Chair

ATTEST

Paulette DeHart, Clerk of the Board