BAN ON OPEN BURNING – STAGE 1 FIRE RESTRICTIONS

HIGH FIRE DANGER

YELLOWSTONE COUNTY

RESOLUTION NO. 07-58

WHEREAS, the Board of County Commissioners of Yellowstone County, Montana, have received a burning ban recommendation from the County Fire Warden, rural fire departments and from the Billings Area Restrictions Group. This group coordinates fire restrictions on federal, state and private lands in the Billings area and includes representatives from the Forest Service, Bureau of Land Management, Bureau of Indian Affairs, National Park Service, Montana Department of Natural Resources and Conservation, Montana Department of Fish, Wildlife and Parks, and the County Fire Wardens of Big Horn, Carbon, Musselshell, Stillwater, Sweet Grass, Treasure, and Yellowstone; and

WHEREAS, the Board of County Commissioners want to establish public awareness of the present fire danger in Yellowstone County and aid in the prevention of rural wild land fires; and

WHEREAS, the abundant moisture this past spring has provided above average growth of grasses, vegetation and light fuels throughout the County; and

WHEREAS, National Weather Service does not forecast any moisture in the immediate future and the last several weeks has been hot, dry & windy; and

WHEREAS, the Board of County Commissioners has investigated said requests and current conditions in the County and finds said requests to be in the best interest and welfare of the citizens of Yellowstone County, Montana; and

WHEREAS, several wild land fires have already occurred, burning many acres of range and timber land throughout Yellowstone County and neighboring counties, requiring the expenditure of tax dollars and volunteer time for fire fighting; and

WHEREAS, neighboring counties, BLM and DNRC will also institute Stage 1 Fire Restrictions; and

WHEREAS, the public is asked to honor the restrictions to decrease the chance of human-caused fires and avoid further resource and property damage as well as additional strains on fire-fighting personnel, equipment and budgets,

NOW, THEREFORE, IT IS HEREBY RESOLVED:

1. That, per 7-33-2205, MCA, the Board of County Commissioners set the 2007 fire season from the effective date of this resolution until this resolution is rescinded; and
2. That, during the fire season, no person may ignite or set a forest fire, slash-burning fire, land-clearing fire, debris-burning fire, or open fire within Yellowstone County on any residential or commercial property, forest, range, or croplands, with the exception of agricultural burning per 3.d below.
3. That Stage 1 Fire Restrictions are ordered for all areas of Yellowstone County and **the following acts are prohibited until further notice**:
    - Building, maintaining, attending or using a fire, and
    - 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,

    Exemptions to the above prohibitions are allowed only for:

    a. Persons using a fire solely fueled by liquid petroleum or LPG.
    b. Recreational fires measuring less than 48 inches in diameter that are surrounded by a nonflammable structure and for which a suitable source of extinguishing the fire is available.

c. A federal, state, or local officer or member of an organized law enforcement, rescue, or fire-fighting force in the performance of an official duty, or persons with a permit or written authorization allowing the otherwise prohibited act or omission.
d. Farmers & ranchers, with an approved open burning permit, can burn agricultural lands and/or ditches with notification, approval and assistance of their local fire department.

4. That the public, while traveling on all Yellowstone County roads, excluding interstate and secondary paved roads, are encouraged to carry a shovel, axe, and bucket in their vehicles to suppress wildland fires; and
5. That the Air Pollution Office cease and desist from issuing open burning permits during this period and suspend existing permits, with the exception that agricultural burning permits can be issued per 3.d above and the Air Pollution Office notify current permit holders of these restrictions; and
6. That the Yellowstone County Sheriff's Office will enforce this resolution and issue citations to violators where necessary per 7-33-2206, MCA.

THIS RESOLUTION IS EXECUTED this 10th day of July, 2007. It is effective at 12:01 am Friday, July 13, 2007.

(SEAL)

BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA

absent
Jim Reno, Chairman

ATTEST:

Tony Nave
Clerk and Recorder

John Ostlund, ~~Member~~ Chairman Pro-Tem

Bill Kennedy, Member

cc: James L. Kraft, County Fire Warden
Ted Kylander, CCHD/Air Pollution
All County Fire Chiefs
Sheriff Maxwell
All County Media
9-1-1 Center, Billings
9-1-1 Center, Laurel
Darrell Kurk, DNRC
Babete Anderson, CNF
Irv Leach/Eric Chapman, BLM