

**BAN ON OPEN BURNING**  
**EXTREME FIRE DANGER – STAGE II FIRE RESTRICTIONS**  
**YELLOWSTONE COUNTY**  
**RESOLUTION NO. 07-100**

WHEREAS, the Board of County Commissioners of Yellowstone County, Montana, passed Resolution 07-58 on July 10, 2007 which ordered Stage I fire restrictions on federal, state and private lands within Yellowstone County due to the extreme fire danger; and

WHEREAS, the fire danger has worsened due to the very extreme hot and dry conditions in Yellowstone County and South Central Montana; and

WHEREAS, Yellowstone County and neighboring counties, have had and are having, wildfires destroying hundreds of thousands of acres of range and timber land; and

WHEREAS, the Billings Area Fire Restrictions Group (which 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 Counties) is coordinating efforts and restrictions to ease the public confusion and have recommended moving from Stage I to Stage II Fire Restrictions; and

WHEREAS, the National Weather Service has predicted continued hot, dry, windy, dry lightning conditions and the weather outlook for the foreseeable future continues to be the same; and

WHEREAS, the Board of County Commissioners wants to prevent the possibility of human-caused rural wild land fires, avoid further resource and property damage and diminish the strain 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MCA, the Board of County Commissioners continues the 2007 fire season from this date until this resolution is rescinded; and
2. That Stage II Fire Restrictions are ordered for all areas of Yellowstone County and **the following acts are prohibited until further notice:**
  - a. Building, maintaining, attending or using a fire or 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,
  - c. Operating a chainsaw or other equipment powered by an internal combustion engine, blasting or welding between 1 p.m. and 1 a.m.
3. **Exemptions** to the above prohibitions are allowed with Exemption Permit only for:
  - a. Persons using a fire solely fueled by liquid petroleum or LPG.
  - b. 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.
  - c. Operating motorized vehicles on designated roads and trails.
  - d. Emergency repair of public utilities and railroads.
  - e. Any Federal, State, or local officer, member of an organized rescue or firefighting force in the performance of their official duty.
  - f. All land within a city boundary.
  - g. Agricultural harvesting, and off road activities associated with the agricultural operations (e.g. maintaining livestock, watering facilities, etc.). Farmers and ranchers are encouraged to keep harvesting equipment in good working order to prevent sparks, provide spark arrestors, and to carry fire fighting tools with them while harvesting and tending to other agricultural operations off road.
  - h. Agricultural activities to include burning of ditches & stubble fields, and such other activities necessary to the economic viability of the farming operation.
  - i. An exemption does not absolve an individual or organization from liability or responsibility for any fire started by the exempted activity.

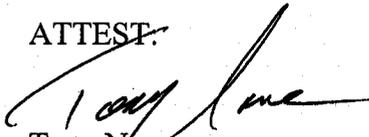
4. That the public, while traveling on all Yellowstone County roads, excluding interstate and secondary paved roads, are encouraged to carry a shovel, axe, and bucket in their vehicles to suppress wildland fires; and
5. That the Air Pollution Office cease and desist from issuing open burning permits during this period, with the exception of agricultural burning permits; 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.
7. That any person who purposely ignites a fire in violation of this section shall reimburse the county governing body or recognized protection agency for costs incurred for any fire suppression activities resulting from the illegal fire.

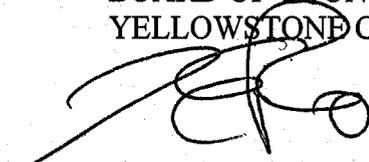
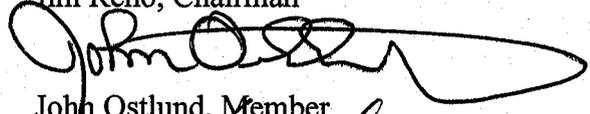
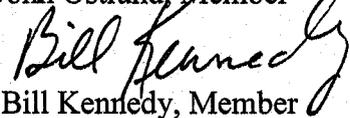
THIS RESOLUTION IS EXECUTED this 24 day of July, 2007. It is effective at 12:01am Wednesday, July 25, 2007.

(SEAL)

BOARD OF COUNTY COMMISSIONERS  
YELLOWSTONE COUNTY, MONTANA

ATTEST:

  
Tony Nave  
Clerk and Recorder

  
Jim Reno, Chairman  
  
John Ostlund, Member  
  
Bill Kennedy, Member

cc: James L. Kraft, County Fire Warden  
Russ Boschee, 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, BLM