

**EM2012-01 RESOLUTION**

**A RESOLUTION TO DECLARE A FIRE DANGER EMERGENCY IN UNION COUNTY**

WHEREAS, Pursuant to SDCL 7-8-33 and by Union County Ordinance UCC 2003-02, section 3 Fire Danger; Union County is authorized to declare a fire danger emergency, and

WHEREAS, Union County is experiencing very dry conditions due to the lack of rain, and

WHEREAS, Union County is dedicated in taking steps to protect the health and safety of all residents of the County and all property within the County, and

WHEREAS, the Union County Commission has consulted with the Emergency & Disaster Services Director, who has consulted with local fire officials and law enforcement officials in regard to the severity of this issue, and

WHEREAS, for purposes of this Resolution, "open burning" shall be defined as any outdoor fire, including but not limited to campfires, warning fires, or the prescribed burning of fence rows, fields, wild lands, trash and debris. This resolution excludes fires contained within liquid-fueled or gas fueled stoves, fireplaces within all buildings, charcoal grill fires at private residences and permanent fire pits or fire grates located on supervised developed picnic grounds, campgrounds, and residences, and

WHEREAS, unduly hazardous fire conditions now exist in Union County, and

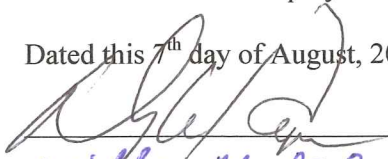
WHEREAS, due to the potential of several fires in surrounding areas there may be a lack of mutual aid and fire fighting man power;

THEREFORE BE IT RESOLVED that the Union County Commissioners enact this resolution on an emergency basis and impose a ban to prohibit or restrict open burning in order to protect the public health and safety, **effective August 7, 2012.**

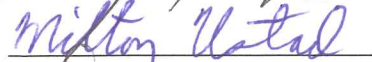
BE IT FURTHER RESOLVED that the ban will be in place until fire conditions improve as determined by Emergency personnel within Union County.

BE IT FURTHER RESOLVED that a fine not to exceed two hundred dollars for each violation, or imprisonment for a period not to exceed thirty days for each violation, or both the fine and imprisonment, if found in violation of this Resolution, as per South Dakota Codified Law 7-18A-2, and that the costs for suppressing any fire, including response fees, mutual aid assistance from other agencies or fire departments, reimbursement to governments for suppression efforts and compensation to the firefighters for time from their employment, be borne by the individual or individuals responsible for setting the fire.

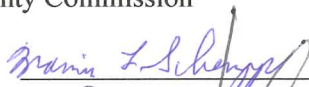
Dated this 7<sup>th</sup> day of August, 2012.



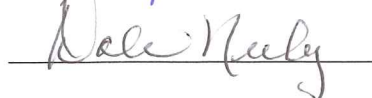
Chairman, Union County Commission



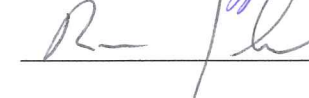
Commissioner



Commissioner

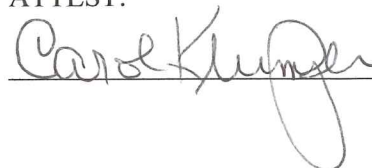


Commissioner



Commissioner

ATTEST:



Auditor