

RESOLUTION NO. 2010-9

OPEN BURNING RESTRICTION

WHEREAS, a potentially severe to extreme fire situation exists throughout Crook County, created by a heavy fuel load and dry summer conditions, could create situations that over-extend the fire fighting capability of local government; and,

WHEREAS, Wyoming Statute 35-9-301 through 304 provides that upon the recommendation of the County Fire Warden the Board of Crook County Commissioners may close the area to any form of use by the public or limit such use which shall include the prohibition of any type of open fire for such periods of time as the Board may deem necessary and proper; and

WHEREAS, the County Fire Warden Gari Gill has recommended that open burning restrictions be imposed throughout the county; and

WHEREAS Wyoming Statutes 35-10-201 through 208 allow for the regulation of fireworks; and

WHEREAS, any violation of this resolution may be in violation of W.S. 35-9-304 punishable by up to 30 days in jail and up to a \$100.00 fine or both together with restitution for the cost of fire suppression and damages to others caused by the violation of this resolution;

WHEREAS, this open burning restriction and ban on the use of fireworks shall begin on August 4, 2010 and end on October 15, 2010 unless ended sooner by the Board of County Commissioners.

NOW THEREFORE, BE IT RESOLVED THAT THE CROOK COUNTY COMMISSIONERS HEREBY RESOLVES as follows:

1. That the discharge of fireworks and all outdoor fires are prohibited except as set forth below, in the unincorporated area of Crook County , Wyoming **beginning on August 4, 2010 and ending on October 15, 2010** unless ended sooner by the Board of County Commissioners;
2. That the following rules shall govern the unincorporated areas of Crook County , Wyoming :
 - (i) **Trash or refuse fires, camp fires, and charcoal fires are prohibited;**
 - (ii) **Petroleum fueled stoves, lanterns, or heating devices are only permitted if such devices meet the fire underwriters' specifications for safety;**
 - (iii) **Smoking is prohibited except within enclosed vehicles or buildings, developed recreation sites, or while stopped in an area at least three (3) feet in diameter that is barren or cleared of all flammable materials. Cigarettes, cigars, and pipe tobacco must be extinguished and disposed of properly and are prohibited from being thrown out from vehicles;**
 - (iv) **Use of acetylene cutting torches or electric arc welders are permitted, if used in a cleared areas ten (10) feet in radius, and a shovel and a pressurized fire extinguisher are present at site;**
 - (v) **Propane or open fire branding activities are permitted, if in cleared areas ten (10) feet in radius, and a shovel and pressurized fire extinguisher are present at the site;**

(vi) **Internal or external combustion engines including chainsaws, ATV's and motorcycles shall have approved spark arrestors;**

(vii) **Use of a chainsaw is permitted, if it has a proper spark arrestor, and a shovel and pressurized fire extinguisher are present at the site; and**

(viii) **Discharge of fireworks are prohibited except as authorized by a permit granted by the Board of County Commissioners for public display.**

3. The ban does not include the listed exceptions set forth in Wyoming Statute 35-10-204 or the areas within the incorporated city and towns within Crook County that may be more restrictive.

4. The County Fire Warden shall immediately provide a copy of this Resolution to the **County Sheriff**, State Land Commissioners, Bureau of Land Management, National Park Service and State Forester and other state and federal agencies.

5. The County Fire Warden shall immediately post the fire ban signs throughout the county **and notify the public through advertisement in each newspaper published in the County, by press release to the Radio and TV stations broadcasting within Crook County, by the Public Alert system, the WYDOT 511 system, County Web Site and any other method that would economically notify the public.**

MADE, DETERMINED AND RESOLVED this _____ day of August, 2010.

BOARD OF COUNTY COMMISSIONERS CROOK COUNTY , WYOMING

John Moline, Jr., Chairman

J.W. Hadley, Vice-Chairman

Kelly B. Dennis, Member

State of Wyoming }
}

County of Crook }

Signed or attested before me on August _____, 2010 by John A. Moline, Jr., Chairman, J. W. Hadley, Vice-Chairman and Kelly B. Dennis, Member, Board of Crook County Commissioners.

CONNIE D. TSCHETTER, CROOK
COUNTY CLERK

(Seal)

My commission expires: