

**AMENDMENT TO RESOLUTION NO. 2012-12  
WITH GREATER OPEN BURNING RESTRICTION AND BAN ON THE USE OF  
FIREWORKS**

**WHEREAS**, the Board of County Commissioners in and for Crook County, Wyoming passed Resolution No. 2012-8 OPEN BURNING RESTRICTION AND BAN ON THE USE OF FIREWORKS on April 4<sup>th</sup>, 2012; and

**WHEREAS**, the conditions for severe to extreme fire situations are greater now than they existed then; and

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

**WHEREAS**, the County Fire Warden recommends more extreme fire restrictions be imposed than were imposed on April 4<sup>th</sup>, 2012; 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 immediately; 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 immediately, and end no later than October 15, 2012 unless temporarily lifted or reimposed by the County Fire Warden.

**NOW THEREFORE, BE IT RESOLVED THAT THE BOARD OF 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 July 3, 2012 and ending no later than October 15, 2012 unless temporarily lifted or reimposed by the County Fire Warden during that term;

2. That the following terms shall govern outdoor fires in 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. All other open burning or outdoor fires are prohibited except as authorized by a permit granted by the County Fire Warden. Applications for a Burn Permit are available from the County Fire Warden. If the County Fire Warden denies the Application the matter may be appealed to the Board of County Commissioners at their next regular monthly meeting by contacting the County Clerk. The County Fire Warden shall have the authority to determine the terms and conditions of the permit including requirements for proof of liability insurance.

4. The ban does not include the listed exceptions set forth in Wyoming Statute 35-10-204, the areas within the incorporated cities and towns within Crook County or federal lands managed by the Forest Service, Devil's Tower National Monument, and BLM. These entities may impose more or less restrictive regulations.

5. 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, Keyhole State Park and State Forester and other state and federal agencies.

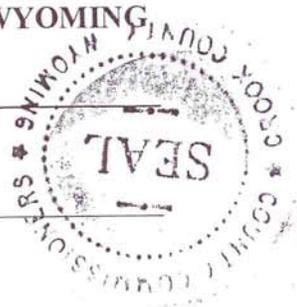
6. The County Fire Warden shall immediately post the fire ban signs throughout the county and notify the public through advertisement in each newspaper published in the County, by press release to the newspapers in the surrounding counties, the Rapid City Journal, Casper Star Tribune and Radio and TV stations broadcasting within Crook County, by the Public Alert system, the WYDOT 511 system, County Web Site [www.crookcounty.wy.gov](http://www.crookcounty.wy.gov) and any other method that would economically notify the public.

**MADE, DETERMINED AND RESOLVED** this 3<sup>rd</sup> day of July 2012.

**BOARD OF COUNTY COMMISSIONERS CROOK COUNTY, WYOMING**

*J.W. Hadley*  
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 J.W. Hadley, Chairman

*Kelly B Dennis*  
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 Kelly B. Dennis, Vice-Chairman



Jeanne A. Whalen  
Jeanne A. Whalen, Member

State of Wyoming }  
}

County of Crook }  
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Signed or attested before me on July 3, 2012 by J. W. Hadley, Chairman, Kelly B. Dennis, Vice-Chairman and Jeanne A. Whalen, Member, Board of Crook County Commissioners.

Connie D. Tschetter  
CONNIE D. TSCHETTER, CROOK COUNTY CLERK

My commission expires: \_\_\_\_\_

MY TERM EXPIRES THE FIRST  
MONDAY IN JANUARY 2015

