

RESOLUTION #2012-05
ESTABLISHING FIRE RESTRICTIONS FOR
HOT SPRINGS COUNTY

WHEREAS, based upon recommendations of the **Hot Springs County Fire Warden**, the **Board of Hot Springs County Commissioners** are empowered by WYOMING STATE STATUTE **35-9-301** through **35-9-304** to close areas to fire when fire danger in the County is extreme because of drought, the presence of any excessive amount of flammable material or for any other sufficient reason; and

WHEREAS, the **Board of Hot Springs County Commissioners** find there is an extreme danger of fire throughout Hot Springs County because of drought conditions and there is a presence of excessive amounts of flammable materials and the fire danger is aggravated by open burning and the use of incendiary devices:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF HOT SPRINGS COUNTY COMMISSIONERS:

1. Effective June 29, 2012 – Until further notice of this Board, any open fire or discharge of any class A, B, and/or C fireworks is prohibited on all unimproved State and Private Land including, but not limited to, all land owners in Hot Springs County or in which HOT SPRINGS COUNTY holds or owns an interest, including county roads, easements and rights-of-way in Hot Springs County. The prohibition is subject to the following exceptions:

- A. Trash or refuse burned between the hours of 6:00 P.M. and 8:00 A.M. inside containers equipped with spark arrestors which are located within a cleared area that has at least a TEN (10) foot radius, and comply with all other laws and requirements.
- B. Camp Fires contained within an established fire ring at an established campground provided the fire is in compliance with BLM, FOREST SERVICE, and NATIONAL PARK SERVICE regulations in effect at the time.
- C. Charcoal fires within enclosed grills.
- D. Use of acetylene cutting torches or electric arc welders provided the torches or welders are used within a cleared area with at least a TEN (10) foot radius
- E. Propane or open fire branding activities provided the branding activities are conducted within a cleared area with at least a TEN (10) foot radius.
- F. Use of chain saws provided the chain saws have spark arrestors properly installed and functioning.
- G. Federal, State or Local Fire or Law Enforcement Officers participating in Fire, Emergency and Law Enforcement Activities.
- H. Public-sponsored fireworks displays which are coordinated with the Hot Springs County Fire Warden or his designee.

2. Unimproved land is defined to mean cropland, agricultural land and undeveloped land which predominately remains in its natural forested or range condition.

3. The County Fire Warden shall promptly notify the Hot Springs County Board of Commissioners of any changes in the severity of the fire danger.

BE IT FURTHER RESOLVED, that penalties specified in **W.S.S. 35-9-304** may be imposed for violations of this resolution, i.e. a fine not to exceed **ONE HUNDRED dollars (\$100.00)** or **imprisonment not to exceed thirty (30) days or both, to which may be added cost of restitution.**

BE IT FURTHER RESOLVED, that the Hot Springs County Fire Warden shall notify the Wyoming State Forester of the limitations provided for by this resolution, as well as any and all Commissioners' Rules and Regulations and shall assist in the public notification by posting the order and circulating it to all local media.

Passed and Approved this 29th day of June, 2012.

ATTEST:

Brad Basse, Chairman

Hans Odde, County Clerk

Mike Baker, Vice-Chairman

John Lumley, Commissioner