

RESOLUTION 12-08 (AMENDED)

RESOLUTION CLOSING NIOBRARA COUNTY DUE TO FIRE DANGER

WHEREAS, the Niobrara County Fire Warden has recommended on this day a partial closure of all unincorporated areas of Niobrara County, Wyoming, to the use of open fires and the use of incendiary devices, for an indefinite period; and

WHEREAS, Niobrara County, Wyoming is currently under an extreme extended drought condition, and the fire danger index is rated high; and

WHEREAS, the fire danger in Niobrara County is acute due to unseasonably high temperatures, (temperatures above normal during 2012); limited precipitation, (precipitation below normal during 2012) and high winds; and

WHEREAS, Wyoming Statutes §35-9-301, 35-9-302, 35-9-303, and 35-10-208, give the Niobrara County Board of County Commissioners the authority, if certain conditions are met to "...close the area to any form of use by the public or may limit such use..", and

WHEREAS, it is uncertain how long the drought conditions may continue;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Niobrara County, Wyoming, that effective July 3, 2012, at 5:00 PM, all of the unincorporated areas within the boundaries of Niobrara County are subject to a partial closure and all outdoor fires and the discharge of all fireworks, including, but not limited to Class A, B, and C fireworks, are prohibited except as follows:

(i) The professionally planned exhibit being held at the Niobrara County Fairgrounds on July 4, 2012, *if conditions are favorable*.

(ii) The burning of the covered wagon and "Rawhide" sign during the Legend of the Rawhide Performances being held at the Niobrara County Fairgrounds on July 6 and 7, 2012 *if conditions are favorable*.

(iii) Attended trash or refuse fires between the hours of 6:00 p.m. and 6:00 a.m., inside containers provided with spark arresters and located within a cleared area ten (10) feet in radius, are permitted.

(iv) Attended charcoal fires and propane fires with enclosed grills within arms reach of operator are permitted.

(v) Use of acetylene cutting torches or electric arc welders in cleared areas ten (10) feet in radius is permitted.

(vi) Propane or open fire branding activities in cleared areas ten (10) feet in radius are permitted.

BE IT FURTHER RESOLVED, the penalties, pursuant to W.S. §35-9-304, a \$100.00 fine, thirty (30) days in the Niobrara County Jail, or both, may be imposed for violation of the Resolution. The Niobrara County Fire Warden shall promptly notify the Board of Niobrara County Commissioners when the fire danger has decreased, and upon such notice the closing may be modified.

Notice of fire closure shall be transmitted to the Wyoming State Forester, Bill Crapser, 1100 West 22nd Street, Cheyenne, Wyoming 82002.

PRESENTED, READ AND ADOPTED this 3rd day of July, 2012.

BOARD OF COUNTY COMMISSIONERS

Richard A. Ladwig
Richard A. Ladwig, Chairman

Arlene Zerbst Rapp
Arlene Zerbst Rapp, Vice Chairman

Greg B. Starck
Greg B. Starck, Commissioner



Becky L. Freeman
Becky L. Freeman, County Clerk