



RESOLUTION 2017-129

**A RESOLUTION DECLARING STAGE I FIRE RESTRICTIONS (REMOVING THE
EXEMPTION FOR CAMPFIRES)
IN LEWIS AND CLARK COUNTY
EFFECTIVE 12:01 A.M. SATURDAY, SEPTEMBER 2, 2017**

Whereas, drought conditions coupled with weeks of unseasonably high temperatures and low relative humidity in Lewis and Clark County have created exceptionally flammable fuels at both lower and upper elevations; and

Whereas, extreme fire conditions and lightening have resulted in many naturally-caused fires throughout the county; and any man-caused fires have the potential to overburden already taxed volunteer fire crews; and

Whereas, the Lewis and Clark County Fire Warden/Sheriff and Rural Volunteer Fire Council have recommended Stage I Fire Restrictions be imposed throughout Lewis and Clark County; and

Whereas, the Board of Lewis and Clark County Commissioners concur with the need for fire restrictions to reduce the possibility of man-caused fires; and

Whereas, pursuant to MCA § 7-33-2205, the Board of Lewis and Clark County Commissioners may, in its discretion, establish controlled burning seasons annually, during which, subject to **76-13-121**, a person may not ignite or set a fire, including a slash-burning fire, land-clearing fire, debris-burning fire, or open fire within the county protection area on any residential or commercial property, forest, range, or croplands subject to the provisions of this part without having obtained an official written permit or permission to ignite or set a fire from the recognized protection agency for that protection area.

Therefore, be it resolved, effective at 12:01 a.m. on Saturday, September 2, 2017, the Board of Lewis and Clark County Commissioners declares Lewis and Clark County under **modified** Stage I Fire Restrictions as described below and such restrictions supersedes Resolution 2017-116 and shall remain in effect until weather conditions improve and this order is rescinded or revoked.

Stage I Fire Restrictions (Modified to Remove the Exemption for Campfires)

The following acts are prohibited until further notice:

1. Building, maintaining, attending, or using a fire or campfire.
2. Smoking, except within an enclosed vehicle or building, a developed recreation site or while stopped in an area at least three feet in diameter that is barren (i.e. has no vegetation) or cleared of all flammable materials.

Exempt acts and locations:

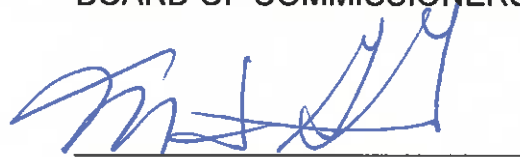
1. Persons with a written permit that specifically authorizes the otherwise prohibited act.

2. Persons using a device solely fueled by liquid petroleum or LPG fuels that can be turned on and off. Such devices can only be used in an area that is barren or cleared of all overhead and surrounding flammable materials within three (3) feet of the device.
3. Persons using charcoal briquettes in a manufactured barbeque device designed for such purposes and located in an area that is barren or cleared of all overhead and surrounding flammable materials within three feet of the device.
4. Persons conducting activities in those designated areas where the activity is specifically authorized by written posted notice.
5. Any Federal, State, or local officer or member of an organized rescue or firefighting force in the performance of an official duty.
6. All land within a city boundary is exempted.
7. Other exemptions unique to each agency/tribe as provided for by law.

An exemption does not absolve an individual or organization from liability or responsibility for any fire started by the exempted activity.

Dated the 1st day of September, 2017

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS



Susan Good Geise, Chairman

ATTEST:



Paulette DeHart, Clerk of the Board

