

BAN ON OPEN BURNING & STAGE 1 FIRE RESTRICTIONS

HIGH FIRE DANGER

YELLOWSTONE COUNTY

RESOLUTION NO. 22-37

WHEREAS, the Board of County Commissioners want to establish public awareness of the fire danger in Yellowstone County and aid in the prevention of rural wild land fires; and

WHEREAS, the abundant moisture this past spring has provided above average growth of grasses, vegetation, and light fuels throughout the County; and

WHEREAS, the Board of County Commissioners has investigated the current conditions in the County and find that it is in the best interest and welfare of the citizens of Yellowstone County, Montana; and

WHEREAS, the public is asked to honor the burning ban and the restrictions to decrease the chance of human-caused fires and avoid further resource and property damage as well as additional strains on fire-fighting personnel, equipment, and budgets,

NOW, THEREFORE, IT IS HEREBY RESOLVED:

1. That, per 7-33-2205, MCA, the Board of County Commissioners set the 2022 fire season from the effective date of this resolution until this resolution is rescinded: and
2. That, during the fire season, 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 with the exception of agricultural burning per 3.d.ii below.
3. That, Stage 1 Fire Restrictions are ordered for all areas of Yellowstone County and **the following acts are prohibited until further notice:**
 - a. Building, maintaining, attending, or using a fire unless noted in the exemptions BELOW.
 - b. 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 or cleared of all flammable materials.

Exemptions to the above prohibitions are allowed only for:

- a. Persons using a fire solely fueled by liquid petroleum or LPG 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.
- b. Any Federal, State, or local officer or member of an organized rescue or firefighting force in the performance of an official duty.
- c. All land within a city or town boundary is exempted.
- d. Other exemptions unique to Yellowstone County including
 - i. Recreational fires or commercial type of fixed or portable outdoor fireplaces measuring less than 48 inches in diameter that are surrounded by a nonflammable structure and for which a suitable source of extinguishing the fire is available.

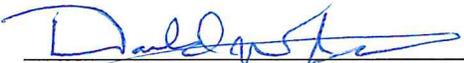
- ii. Farmers and ranchers or companies with a valid burn permit and a written permit from the County Fire Warden or Local Fire Chief that specifically authorizes the otherwise prohibited act.
- 4. That, the County Fire Warden cease and desist from issuing new open burning permits during this period and suspend existing permits, with the exception of 3.d.ii above; and
- 5. That, a person who purposely ignites a fire in violation of this section
 - i. Shall reimburse the county governing body or recognized protection agency for costs incurred for any fire suppression activities resulting from the illegal fire, as provided in 50-63-103 MCA.
 - ii. Could be fined up to \$5,000 individually or \$10,000 for an organization and imprisoned for up to 6 months for violating restrictions and closures.
- 6. The Yellowstone County Sheriff's Office will enforce this resolution and issue citations to violators where necessary per 7-33-2206, MCA.

THIS RESOLUTION IS EXECUTED this 21st day of June 2022.
 It is effective at 12:01 am on the 1st day of July 2022.

(SEAL) BOARD OF COUNTY COMMISSIONERS
 YELLOWSTONE COUNTY, MONTANA

ATTEST:


 Jeff Martin
 Clerk and Recorder



 Donald W Jones, Chairman


 John Ostlund, Member


 Denis Pitman, Member

- cc: KC Williams, County Fire Warden
 All County Fire Chiefs
 Sheriff Linder
 All County Media
 9-1-1 Center, Billings
 9-1-1 Center, Laurel
 Mike Boettcher, DNRC
 Isaac Wald, BLM