



LINCOLN COUNTY MONTANA

Resolution 2021-21

STAGE 1 FIRE RESTRICTIONS ESTABLISHED

THE BOARD OF COUNTY COMMISSIONERS FOR LINCOLN COUNTY, MONTANA FINDS:

1. The Board of County Commissioners of the Lincoln County, Montana, passed Resolution 2021-21 on July 2, 2021, which ordered Stage I Fire Restrictions on all private lands in the Lincoln County, due to very high categorized fire danger. Restrictions shall take effect 12:01 am, on July 3, 2021 and shall remain in effect until rescinded by the Board of Commissioners of Lincoln County, Montana.
2. The fire danger has worsened due to the very extreme hot, dry, and windy conditions.
3. The threat of new fire starts that are resistant to control, has created a substantial hazard to the citizens of the County.

THE BOARD RESOLVES:

That, at the request of the Lincoln County Fire Warden, the Board of Commissioners of Lincoln County, Montana, hereby establishes the following Stage I fire restrictions on all private lands in Lincoln County, Montana and the following acts or uses are prohibited:

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 or cleared of all flammable materials.
3. Operating motorized vehicles off designated roads and trails.

Exemptions:

1. Persons with a written permit that specifically authorizes the otherwise prohibited act.
2. Persons at their private property can build, maintain campfire if mowed lawn that is deep green and irrigated and have running water to campfire area.
3. Persons at their private property can use BBQ grills that have an area that is barren or cleared of all surrounding flammable materials within 3 feet of the device and have running water to area.

294307 BOOK: PF PERM/FILES PAGE: 14767 Pages: 3
STATE OF MONTANA LINCOLN COUNTY
RECORDED: 07/02/2021 2:15 KOI: PERM/FILE
ROBIN A. BENSON CLERK AND RECORDER
FEE: \$0.00 BY: *Robin A. Benson*
FOR: LINCOLN COUNTY BOARD OF COMMISSIONERS 512 CALIFORNIA AVE.



LINCOLN COUNTY MONTANA

4. Operating motorized vehicles on designated roads and trails.
5. Emergency repair of public utilities and railroads.
6. Persons conducting activities in those designated areas where the activity is specifically authorized by written posted notice.
7. Any Federal, State, or local officer, or member of an organized rescue or firefighting force in the performance of an official duty.
8. All land within a city boundary is exempted.
9. Other exemptions unique to each agency/tribe.

VIOLETION OF THESE RESTRICTIONS MAY BE PROSECUTED UNDER APPLICABLE MONTANA LAW. AN EXEMPTION DOES NOT ABSOLVE AN INDIVIDUAL OR ORGANIZATION FROM LIABILITY OR RESPONSIBILITY FOR ANY FIRE STARTED BY THE EXEMPTED ACTIVITY.

THE BOARD FURTHER RESOLVES:

1. If a provision of this resolution conflicts with a provision of a previously adopted resolution, this resolution will prevail.
2. This resolution and its various sections, clauses and paragraphs are severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid, the remainder of the resolution will not be affected.
3. This resolution will be effective immediately upon adoption, in accordance with § 7-5-123, MCA.
4. This Board directs that this resolution be entered into the minutes and signed by the Chair of the Board in accordance with § 7-5-121, MCA.

END OF RESOLUTION



LINCOLN COUNTY
MONTANA

Approved as to Form:

Marcia Boris

Marcia Boris, County Attorney

Date presented to the Board July 2nd 2021 Approved () Disapproved () Amended ()

Adopted this 2nd day of July, 2021.

LINCOLN COUNTY BOARD OF COMMISSIONERS

Jerry Bennett
Jerry Bennett, Chair

ATTEST:

Robin A. Benson

Robin A. Benson, Clerk of the Board

