



LINCOLN COUNTY MONTANA

Resolution 2021-22

EMERGENCY RESOLUTION PROHIBITING OPEN BURNING STAGE II

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

1. Lincoln County is experiencing a period of VERY HIGH to EXTREME fire danger; and
2. Fire Managers within the Northwest Montana Region have collectively agreed that Stage II Fire Restriction should be enacted; and
3. The County Commissioners are authorized by MCA 7-33-2205 to restrict open burning.

THE BOARD RESOLVES:

That on July 15, 2021 at 2400 hours, the ignition of any open fire on any forest, range, cropland, county parks and on private property, unless within the guidelines of Stage II Restriction Procedures, is hereby prohibited.

STAGE II RESTRICTIONS

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 or cleared of all flammable materials.
3. The following acts are prohibited from **1:00 p.m. to 1:00 a.m.**
 - a) Operating any internal combustion engine.
 - b) Welding or operating acetylene or other torch with open flame.
 - c) Using an explosive.

A patrol is required to **two hours** following cessation of all work as described above.

4. Operating motorized vehicles off designated roads and trails.



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THE BOARD FURTHER RESOLVES:

That as provided by MCA 7-33-2206 and 7-33-2212 any person who ignites any open fire not within the established Stage II Restriction Procedures, is guilty of a misdemeanor and may be required to reimburse a fire protection agency for costs incurred for any fire suppression activities resulting from the illegal fire as provided in MCA 50-63-103.

BE IT FURTHER RESOLVED:

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

Approved as to Form:

Marcia Boris
Marcia Boris, County Attorney

Date presented to the Board 14th July 2021 Approved (X) Disapproved () Amended ()

Adopted this 14th 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

