

RESOLUTION 17-13

A RESOLUTION IMPOSING A PARTIAL FIRE BAN IN THE UNINCORPORATED AREAS OF NIOBRARA COUNTY

**WHEREAS**, a potentially severe to extreme fire situation could exist throughout Niobrara County, created by a wet spring, heavy vegetation, subsequent higher temperatures and decreased humidity, which could create situations that over-extend the firefighting capability of local government; and,

**WHEREAS**, under W.S. 35-9-301, upon the recommendation of the County Fire Warden, a Board of County Commissioners may limit use of a given area in the county due to extreme fire danger, and

**WHEREAS**, the 2012 Fire Mobilization Plan, promulgated by the Wyoming State Forestry Division, encourages the restriction of open burning in areas where dry conditions exist;

**THEREFORE BE IT RESOLVED** that the fire danger in Niobrara County is extreme and that upon the recommendation of the County Fire Warden, the following restrictions of use be applied to all lands within Niobrara County, excluding federal lands:

That this is a partial closure, discharge of fireworks and all outdoor fires are prohibited in unimproved areas, defined as cropland, agricultural land, and undeveloped land which predominately remains in its natural forested or range condition, except as provided below:

- (i) Trash or refuse fires between the hours of 6:00 p.m. and 8:00 a.m., inside containers provided with spark arrester and located within a cleared area ten feet in radius, are permitted.
- (ii) Charcoal fire within enclosed grills are permitted.
- (iii) Use of acetylene cutting torches or electric arc welder in cleared areas ten feet in radius are permitted.
- (iv) Propane or open fire branding activities in cleared areas ten feet in radius are permitted.
- (v) Use of chainsaws provided that the chainsaws have spark arresters properly installed and functioning.
- (vi) Federal, State, local fire or law enforcement officers participating in fire, emergency, and law enforcement activities.
- (vii) Public or privately sponsored fireworks display which are coordinated with the Niobrara County Fire Warden or his designee.

And the penalties, pursuant to W.S. §35-9-304, are punishable by up to a \$100.00 fine, thirty (30) days in the Niobrara County Jail, or both, may be imposed for violation of this Resolution.

**BE IT FURTHER RESOLVED** that this resolution becomes effective August 15, 2017 and shall remain in effect until October 1, 2017 or until such time as it may be amended or rescinded by the Board of County Commissioners.

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 15<sup>th</sup> day of August, 2017.

**BOARD OF COUNTY COMMISSIONERS  
NIOBRARA COUNTY, WYOMING**

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/s/ RICHARD A. LADWIG, CHAIRMAN

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/s/ PATRICK H. WADE, VICE-CHAIR

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/s/ JOHN MIDKIFF, COMMISSIONER

Attest: /s/ Becky L. Freeman, County Clerk