

RESOLUTION #2022-04
A RESOLUTION TO PROVIDE FOR TEMPORARY EMERGENCY
REGULATION OF FIRE HAZARDS IN DOUGLAS COUNTY

WHEREAS; the Douglas County Commission is in charge with protecting the health and safety of the citizens of Douglas County including all property situated thereto; and

WHEREAS; the Douglas County Commission has consulted with local fire officials, law enforcement officials and citizenry concerning the threat posed by wildfires; and

WHEREAS; the threat of wildfires in Douglas County is such as to pose a significant danger to the health and safety of the citizens of Douglas County including property situated therein; and

WHEREAS, the Douglas County Commission has deemed it necessary to enact certain temporary controls to reduce the threat posed to the citizens and property of Douglas County by wildfires.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to SDCL 7-8-20(18) the Douglas County Commission does hereby enact this resolution on an emergency basis effective immediately and imposes a restriction to open burning in order to protect the public health and safety; and

IT IS FURTHER RESOLVED, that the following exceptions are made to the restrictions:
Covered or enclosed trash burning containers surrounded by a 10-foot combustible free radius.
Barbeque grills.
Branding iron burners
Fully enclosed outdoor fireplaces surrounded by a 10-foot combustible free radius, and;

IT IS FURTHER RESOLVED, that individuals who are burning under one of the exceptions use extreme caution and individuals who start a fire that crosses a property line, and or damages the property of another person are liable for the costs of suppressing and damages done by that fire, and;

IT IS FURTHER RESOLVED, that pursuant to SDCL 34-37-19 the prohibited activities shall include any activity which could be reasonably calculated to lead to the ignition and/or spread of wildfires in Douglas County; and

IT IS FURTHER RESOLVED, that the area to which the prohibitions herein shall be applicable shall include the entire area of Douglas County excepting those lands within City limits of Armour, Corsica and Delmont or the lands under the auspices of the United States; and

IT IS FURTHER RESOLVED, that pursuant to SDCL 7-18A-2 the penalty for violating this resolution shall include a fine not to exceed five hundred dollars (\$500) for each violation and/or by imprisonment for a period not to exceed thirty days for each violation, or by both such fine and imprisonment; and

IT IS FURTHER RESOLVED, that the prohibition of certain activities provided for above shall remain in effect until such time as the Douglas County Commission determines that the threat posed by wildfires has abated.

Motion passed and Resolution #2022-04 adopted this 5th day of April, 2022.

Roll Call vote: Voting 'aye':
Voting 'nay':
Absent:

ATTEST: Phyllis Barker
Phyllis Barker, County Auditor

SIGNED: Tim Goldammer
Tim Goldammer, Chairman