

COCONINO COUNTY BOARD OF SUPERVISORS

RESOLUTION 2010-37

**A RESOLUTION IMPOSING A BAN ON OPEN FIRES ON
PRIVATE AND PUBLIC LANDS IN THE
UNINCORPORATED AREA OF COCONINO COUNTY**

WHEREAS, Ordinance 2000-09 authorizes the County Board of Supervisors to impose a ban on open fires on private and public lands in the unincorporated area of Coconino County; and

WHEREAS, ARS §26-311 authorizes the County Board of Supervisors to declare that an emergency exists and to impose all necessary regulations to preserve peace and order in the unincorporated areas of the county; and

WHEREAS, ARS §26-307 authorizes counties to make, amend, and rescind orders, rules, and regulations necessary for emergency functions not inconsistent with orders, rules, and regulations promulgated by the governor and to suspend any regulation or law in conflict with said county orders, rules, and regulations; and

WHEREAS, ARS §49-501 prohibits open burning in unincorporated areas of the county, with certain broad exceptions; and

WHEREAS, counties have authority under ARS §11-251.05 to adopt ordinances necessary or proper to carry out the duties, responsibilities, and functions of the county and to prescribe punishment by fine or imprisonment, or both, for the violation of the ordinance, not to exceed the maximum limitations for a Class 1 misdemeanor; and

WHEREAS, a very high fire danger exists in Coconino County based on persistent high winds, increased red flag fire warnings, high temperatures, and the increasingly high Energy Release Component, a measurement of the fuel moisture, relative humidity, and temperature, as determined by the U.S. Forest Service; and

WHEREAS, the Coconino National Forest, the Kaibab National Forest and the Prescott National Forest have implemented State 1 fire restrictions effective Wednesday, June 23, 2010, due to high very fire danger and deemed the restrictions are necessary to protect public health and safety and prevent human-caused wildfires; and

WHEREAS, the City of Flagstaff has implemented Stage 1 restrictions effective Wednesday, June 23, 2010, implementing fire restrictions within the City of Flagstaff limits; and

WHEREAS, recent wildland fires have exhibited extreme fire behavior resulting in the evacuation of community residents; and

WHEREAS, the Coconino County Emergency Services Manager and Coconino County Sheriff recommend that the Board of Supervisors take action to prohibit all open burning in unincorporated areas of the County during the times of high and extreme fire danger; and

WHEREAS, penalties for violations shall be enforced under the same conditions and procedure as set forth in ARS §13-3903 and set forth in Ordinance 2000-09;

NOW THEREFORE BE IT RESOLVED that the Coconino County Board of Supervisors hereby imposes a ban on all open fires, campfires, fireworks, and other pyrotechnic displays on private and public lands in the unincorporated County, effective June 25th at 1:00 pm, until such time as the fire danger subsides. Excepted from this ban are petroleum-fueled stoves or lanterns, enclosed charcoal barbeque grills operated in residential yards, and special events specifically approved by the Board of Supervisors.

BE IT FURTHER RESOLVED that this Resolution 2010-37 imposing a ban on open fires shall be lifted at such time as the U.S. Forest Service lifts its restrictions on smoking and campfires outside developed recreation sites on Federal lands.

DATED this 25th day of June, 2010.

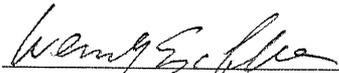
COCONINO COUNTY BOARD OF SUPERVISORS



Elizabeth C. Archuleta, Chair

ATTEST:

APPROVED AS TO FORM:



Clerk of the Board

Deputy County Attorney