

RESOLUTION NO. 2020 -

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF OKALOOSA COUNTY, FLORIDA, DECLARING A STATE OF EMERGENCY RELATIVE TO DROUGHT CONDITIONS; MITIGATING THE PUBLIC SAFETY HAZARD POSED BY WILDFIRES DURING THE CURRENT DRY WEATHER CONDITIONS CURTAILING THE PRACTICE OF OUTDOOR BURNING; PROVIDING AN EFFECTIVE DATE.

WHEREAS, due to the hot, dry, parched, drought and windy conditions and the resultant threat of wildfires in Okaloosa County, emergency measures are required to protect the health, safety, welfare and property of Okaloosa County residents and visitors; and

WHEREAS, the Okaloosa County Board of County Commissioners (“Board”) hereby finds that the circumstances present in Okaloosa County create a public safety hazard that would be exacerbated by outdoor burning; and

WHEREAS, the Okaloosa County Department of Public Safety and the Florida Division of Forestry have conferred and support the banning of open burning and certain fireworks; and

WHEREAS, Okaloosa County is a political subdivision of the State of Florida, and pursuant to Chapter 252, Florida Statutes, “State of Florida Emergency Management Act” and Okaloosa County Ordinance No. 91-23, as amended, is authorized to find and declare a “Local State of Emergency” in Okaloosa County and exercise those powers conferred by Chapter 252; and

WHEREAS, pursuant to Chapter 252, Florida Statutes, and section 9-42 of the Okaloosa County Code, in the absence of a decision made by a quorum of the Board the Chairman is empowered to declare a local state of emergency and extend same.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF OKALOOSA COUNTY, FLORIDA:

1. Recitals.
 - a. The above recitals are true and correct and are hereby incorporated.
2. Local State of Emergency.
 - a. A local state of emergency is hereby declared pursuant to section 252.38(3), Florida Statutes.
3. Actions Prohibited.
 - a. During the local state of emergency, the following activities shall be prohibited:
 - i. all outdoor burning of any combustible material,
 - ii. bonfires,

- iii. campfires,
- iv. warming fires,
- v. outdoor fire places,
- vi. chimneys, and
- vii. cooking fires unless it is exclusively within a contained gas or charcoal grill.

4. Exceptions.

- a. Firefighter training.
- b. Burn operations approved by the Florida Forest Service.

5. Enforcement.

- a. Pursuant to section 252.50, Florida Statutes, any person violating this Resolution is guilty of a misdemeanor of the second degree.
- b. Upon notification of suspected outdoor burning, the Fire District of such jurisdiction shall respond to the scene and take immediate measures to contain and/or extinguish the fire.

6. Effective Date.

- a. This Resolution shall become effective upon adoption.
- b. This declared "Local State of Emergency" shall continue to be in effect for seven (7) days and may be extended as necessary in 7-day increments.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF OKALOOSA COUNTY, FLORIDA, THIS ___ DAY OF MAY, 2020.

BOARD OF COUNTY COMMISSIONERS OF
OKALOOSA COUNTY, FLORIDA

Robert A. "Trey" Goodwin, III
CHAIRMAN

ATTEST:

J.D. Peacock, II
CLERK OF CIRCUIT COURT