

RESOLUTION 2009-13

A RESOLUTION DECLARING A STATE OF LOCAL DISASTER EMERGENCY

WHEREAS, K.S.A. 48-932 provides that a state of local disaster or emergency may be declared by the Chairman of the Board of County Commissioners of any County having a disaster emergency plan, upon a finding by such officer that a disaster has occurred or the threat thereof is imminent within such County; and

WHEREAS, K.S.A. 48-904 defines disaster as "the occurrence or imminent threat of widespread or severe damage, injury or loss of life or property resulting from any natural or manmade cause, including but not limited to fire"; and

WHEREAS, the Chairman of the Board of County Commissioners of Barton County, Kansas and/or the majority of said Board in his absence finds that extremely dry weather conditions in Barton County, Kansas have created an extreme fire hazard in the grasslands and croplands of the County; and

WHEREAS, the Emergency Management Coordinator or the County Administrator may contact the County Commission Chairman or in his/her absence, a majority of the remaining Commission members to obtain permission to impose a prohibition on burning if the County Commission is not in session;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Barton County, Kansas, that:

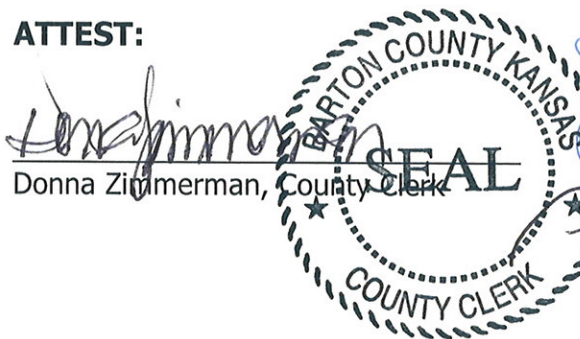
1. Imminent threat of disaster by fire affecting Barton County, Kansas, commenced on the 23rd day of February, 2009, at 12:00 p.m. and continues at this time.
2. Effective immediately, the following is prohibited within Barton County, Kansas:
 - A. Building, maintaining, attending or using any open fire or campfire except in permanent stoves or fireplaces or barbecue grills in developed recreational sites or residential lawns.
 - B. Burning of all fence rows, fields, wild lands, ravines, trash and debris. Burning of these types may be exempted from this order only upon issuance of a written permit by the Fire Chief having jurisdiction of the area where the Burning is to take place. Such permits shall not be allowed until the Fire Chief or his designee shall have personally inspected the burning site and shall have determined that the proposed burn does not constitute a significant hazard to life or property taking into account all relevant factors.
3. The Emergency Management Coordinator of Barton County, Kansas is directed to activate the disaster response and recovery portions of the Barton County Emergency Operations Plan as applicable.

4. All law enforcement agencies in Barton County, Kansas, are requested to enforce the provisions of this order.
5. The knowing and willful violation of this Resolution shall constitute a Class A misdemeanor, and any person convicted of such violation shall be punished as provided by K.S.A. 48-939.
6. This Resolution shall be in full force and effect for a period not to exceed seven (7) days from the declared effective date set forth below unless extended by this issuing authority.
7. This Resolution shall be filed promptly with the Barton County Office of Emergency Management and the Barton County Clerk. Further dissemination of this Resolution shall occur by means calculated to bring its contents to the attention of the general public.
8. The effective date of this Resolution shall be the 23rd day of March, 2009, at 12:00 p.m.
9. Upon adoption, this Resolution rescinds all other burning bans as adopted by the Board of Barton County Commissioners.

DECLARED by the Barton County Commission Chairman this 23rd day of March, 2009.

BOARD OF COUNTY COMMISSIONERS

ATTEST:



Donna Zimmerman
Donna Zimmerman, County Clerk

Jennifer Scharz
Jennifer Scharz, District #5 Chairman

Kenny Schremmer
Kenny Schremmer, District #1, Member

ABSENT

Homer Kruckenberg, District #2, Member

John Edmonds
John Edmonds, District #3, Member

Kirby Krier
Kirby Krier, District #4, Member