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RESOLUTION
NUMBER 2022-035

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, DECLARING AN INCREASED RISK OF WILD FIRES THROUGHOUT CHARLOTTE COUNTY AND IMPOSING CERTAIN RESTRICTIONS AND PROHIBITIONS ON OPEN BURNING AND DISCHARGE OF FIREWORKS OR INCENDIARY DEVICES IN CHARLOTTE COUNTY, FLORIDA.

RECITALS

WHEREAS, the Charlotte County Board of County Commissioners ("the Board") has enacted Ordinance 2018-016 ("the Ordinance") which provides the Board with authority to adopt a Resolution to address rapidly changing fire risk conditions and imposing certain restrictions on activities that can cause wild fires; and

WHEREAS, the Fire Chief for Charlotte County has sent written notification advising of the potential for extreme fire behavior resulting from current drought conditions in Charlotte County and throughout Southwest Florida. As the Keetch-Byram Drought Index (KBDI) approaches 600, the dry and windy conditions mean fires could start with little effort, burn with greater intensity and spread quickly. Such conditions risk public health and property, as well as, put a significant strain on Public Safety resources; and

WHEREAS, the Fire Chief has made a presentation to the board and has recommended the imposition of certain restrictions and prohibitions as conditions warrant; and

WHEREAS, after considering the presentation of the Fire Chief, the Board has determined it to be in the best interest of the public health, safety, and welfare to adopt this resolution imposing appropriate restrictions or prohibitions on open burning and

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discharge of fireworks or incendiary devices in Charlotte County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Charlotte County, Florida:

Section 1. Pursuant to Charlotte County Ordinance 2018-016, and upon the recommendation of the Fire Chief, the Board hereby imposes a ban on all outdoor burning (including yard waste, recreational fires and pile burning for land clearing), and on the private use and discharge of fireworks and sparklers. Commercial/permitted fireworks may be excluded from the ban on a case by case basis as approved by the local Fire Marshall. Any broadcast burning or agricultural and silvicultural pile burning authorized by the Florida Forest Service is permitted. The ban takes effect upon approval of this Resolution and shall remain in effect until a like Resolution repealing the ban is adopted by the Board.

Section 2. A summary of this Resolution shall be published twice, in a quarter page advertisement in a newspaper of general circulation in Charlotte County, with the second advertisement appearing no more than five (5) days after publication of the first advertisement.

Section 3. Any violation of the ban is subject to the penalties contained in Section 7 of the Ordinance.

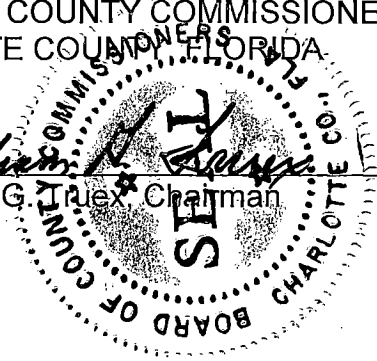
Section 4. This Resolution will become effective immediately upon passage by the Board.

[SIGNATURE PAGE FOLLOWS]

PASSED AND DULY ADOPTED this 5th day of April, 2022.

BOARD OF COUNTY COMMISSIONERS
CHARLOTTE COUNTY, FLORIDA

By: William G. Truex
William G. Truex, Chairman



ATTEST:

Roger D. Eaton, Clerk of the Circuit
Court and Ex-Officio Clerk of the
Board of County Commissioners

By: Dawn Johnston
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: Janette S. Knowlton
Janette S. Knowlton, County Attorney
LR22-0319 / CA