

## **RESOLUTION 2012-27**

### **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 Director 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. There is an imminent threat of disaster by fire affecting Barton County, Kansas, 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 Director 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 10th day of September, 2012, at 12:00 p.m. and it will continue in force until September 17th, 2012, at 12:00 p.m. when it will expire.

**DECLARED** by the Barton County Commission Chairman this 10<sup>th</sup> day of September, 2012.

**ATTEST:**

*Donna Zimmerman*  
*by Maria Sauer Deputy*  
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 Donna Zimmerman  
 County Clerk



**BOARD OF COUNTY COMMISSIONERS**

*Homer Kruckenberg*  
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 Homer Kruckenberg, District #2, Chairman

*Kenny Schremmer*  
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 Kenny Schremmer, District #1, Member

*John Edmonds*  
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 John Edmonds, District #3, Member

*Don Cates*  
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 Don Cates, District #4, Member

**APPROVED AS TO FORM:**

*Richard Boeckman*  
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 Richard A. Boeckman  
 County Counselor

*Jennifer Schartz*  
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 Jennifer Schartz, District #5, Member