

RESOLUTION 04-2016

ESTABLISHING BURNING SEASON

WHEREAS, §7-33-2205, MCA, provides that the County governing body may, at its discretion, establish controlled burning season annually, during which, subject to § 76-13-121, a person may not ignite or set a fire, including a slash-burning fire, land-clearing fire, debris-burning fire, or open fire within the county protection area on any residential or commercial property, forest, range, or croplands without having obtained an official written permit or permission to ignite or set a fire from the recognized protection agency for that protection area; and

WHEREAS, § 7-33-2206, MCA, provides that a person who ignites or sets a fire, including a slash-burning fire, land-clearing fire, debris-burning fire, or open fire on any residential or commercial property, forest, range or cropland subject to the provisions of this part without first having obtained a written permit or permission from the recognized protection agency for that protection area to ignite or set the fire is guilty of a misdemeanor; and

WHEREAS, § 7-33-2205, MCA, provides that any person, entity, or representative of a person or entity has entered into a fire hazard reduction agreement pursuant to Title 76, Chapter 13, Part 4, and is complying with that agreement, open burning may be conducted, subject to §76-13-121, between October 1 and April 30 without obtaining a written permit or permission to set a fire, provided the person, entity or representative of a person or entity has:

- (i) obtained air quality and ventilation forecasts before igniting or setting the fire; and
- (ii) notified the County of the location of the burn area.

WHEREAS, Jefferson County has incurred costs to provide a web based, digital permitting and notification system; and

WHEREAS, §2-17-1101, MCA, through §2-17-1103, MCA (Montana Electronic Government Services Act) and §7-5-2101, MCA and §7-5-2102, MCA, authorizes the Board of County Commissioners to charge fees to recover costs associated with electronic government and business.

NOW, THEREFORE, BE IT RESOLVED, that during the period January 1, 2016 through December 31, 2016, a person must obtain a permit on-line at www.burnpermits.mt.gov

or by calling 1-888-583-6499, or in person at the Jefferson County Sheriff's Office before igniting any fire referred to above. And that during the period from December 1, 2016 through February 28, 2017 a person must obtain documentation from the State of Montana Department of Environmental Quality authorizing burning during that period and present that documentation to the recognized protection area for Jefferson County.

BE IT FURTHER RESOLVED that the annual burn permits cost \$6.00 each and can be used throughout 2016 in accordance with the burning resolution and applicable public health regulations.

BE IT FURTHER RESOLVED, that the annual burn permit renewal fee is \$6.00 each and that each permit or renewed permit may be utilized at multiple times and multiple locations with notification of the time and location with each individual burn request required.

DATED this 1st day of March, 2016.

ATTEST:

BONNIE RAMEY
CLERK AND RECORDER

BOB MULLEN, CHAIR

LEONARD WORTMAN, COMMISSIONER

CORY KIRSCH, COMMISSIONER