

POWELL COUNTY BOARD OF COUNTY COMMISSIONERS

EMERGENCY RESOLUTION NO. 2024-20

AMENDED STAGE TWO RESTRICTIONS

Pursuant to Sections 7-33-2205 and 7-33-2212 MCA (201 L), the Board of County Commissioners of Powell County, Montana hereby declare that an emergency has arisen within Powell County by reason of the extreme fire danger which exists in the county. The Commissioners further declare that the measures set forth below are immediately necessary to preserve the peace, health and safety of the residents of Powell County. These restrictions apply to private and county lands within Powell County.

THEREFORE:

IT IS HEREBY RESOLVED:

The following acts are prohibited effective **at 0001 A.M. Mountain Daylight Time on Tuesday, July 30, 2024 until further notice:**

1. Building, maintaining, attending or using a fire or campfire.
2. Smoking, except within an enclosed vehicle or building, a developed recreation site or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable materials.
3. Use of fireworks.
4. The following acts are prohibited from 1 :00 p.m. to 1 :00 a.m. except as otherwise described in this Order below
 - a. Operating any internal combustion engine.
 - b. Welding, or operating acetylene or other torch with open flame.
 - c. Using an explosive.

Also, a one-hour foot patrol in the work area is required following the cessation of all activities as identified in #3 above.

5. Operating motorized vehicles off designated roads and trails (except as exempted below.)

Exemptions:

1. Using motorized equipment for agricultural purposes (specifically haying/harvesting.) This exemption does not include timber harvesting.
2. Persons with a written permit specifically authorizing the otherwise prohibited act.
3. Persons using a device solely fueled by liquid petroleum or LPG fuels that can be turned on and off. Such devices can only be used in an area that is barren or cleared of all overhead and surrounding flammable material within three feet of the device.
4. Operating generators with an approved spark arresting device within an enclosed vehicle or building or in on area that is barren or cleared of all overhead and surrounding flammable materials within three feet of the generator.
5. Operating motorized vehicles on designated roads and trails.
6. Emergency repair of public utilities and railroads, if: Fire extinguisher or fire suppression equipment is immediately available.

7. Persons conducting activities in those designated areas where the activity is specifically authorized by written posted notice.
8. Any Federal, State, or local officer, or member of an organized rescue or firefighting force in the performance of an official duty.
9. All land within a city boundary is exempted unless otherwise prohibited by an order or resolution.
10. Repair, maintenance, and construction of infrastructure, public utilities
11. Construction site activities on private lands, including construction of roads, utilities, and residential or commercial structures, if: Fire extinguisher or fire suppression equipment is immediately available.
12. Other exemptions unique to each agency/tribe.

An exemption does not absolve an individual or organization from liability or responsibility for any fire started by the exempted activity. The restrictions shall remain in effect until there is significant change in fire danger and restrictions are lifted.

Dated this 29th day of July, 2024.

Board of Powell County Commissioners

Ruth E. Koehler, Presiding Officer

Daniel G. Sager, Member

Attest:

Jody Walker, Clerk & Recorder