

**PUTNAM COUNTY EMERGENCY ORDER NO. 2017- 31
AN EMERGENCY ORDER REGARDING OPEN BURNING DURING THE
FOREST AND BRUSH FIRE DECLARED EMERGENCY.**

WHEREAS, by Proclamation dated 4/20/17 the Chairman of the Board of County Commissioners declared a state of local emergency for the forest and brush fires in Putnam County; and

WHEREAS, any open burning creates unacceptable risks for accidental or careless ignition of dry vegetation; and

WHEREAS, pursuant to its police power and Florida Statute Section 252.38, the Board may take actions to protect the health, safety and welfare of its citizens; and

WHEREAS, Florida Statute Section 252.46 and Section 16-24 of the Putnam County Code of Ordinances authorizes the County to promulgate orders and rules as are necessary for emergency management purposes; and

WHEREAS, such orders when filed with the Clerk of Court have the force of law, and all existing laws, ordinances, and rules which are in conflict are suspended to the extent of the conflict pursuant to Florida Statute Section 252.46 (2); and

WHEREAS, the law enforcement authorities of the State and its political subdivisions enforce such orders pursuant to Florida Statute Section 252.47; and

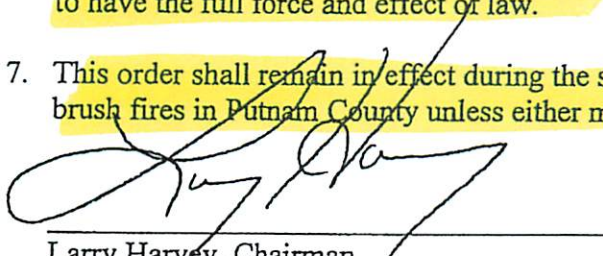
WHEREAS, a violation of a duly promulgated order is a second degree misdemeanor punishable by a fine of up to \$500.00 for each offense and by a term of imprisonment of up to sixty (60) days in jail for each offense and per Section 16-26 of the Putnam County Code of Ordinances, any County-licensee who violates these emergency measures may have his or her license suspended or revoked by the Board of County Commissioners; and

WHEREAS, the Board finds it necessary to promulgate an emergency order to protect human life and animal life and to avert the overwhelming destruction of property that could result from a wild fire.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT THE FOLLOWING IS PROHIBITED IN THE UNINCORPORATED AREA OF PUTNAM COUNTY, FLORIDA:

1. Open burning, except (a) outdoor grills used in preparing food; and (b) commercial land clearing where on-site inspection and approval has been granted by the Florida Forest Service, on a case-by-case basis, and it is determined there will be sufficient fire suppression equipment and personnel on-site.

2. (1) The sale, use and/or discharge of items listed in Florida Statute 791.01 (4) (Fireworks) using explosive or combustible compounds; (2) use or discharge of flares, and the use of outdoor burning devices (excluding attended and monitored barbecue/cooking equipment); and (3) any otherwise lawful outdoor burning, such as lawn, debris or trash burning.
3. The parking vehicles with catalytic converters in high grassy areas.
4. No matches or cigarettes, etc., are to be thrown from vehicles
5. Any person violating any executive order issued pursuant to this Proclamation or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such executive orders shall, upon conviction therefore, be punished in accordance with Florida Statutes Section 252.50 and/or Section 16-40 of the Putnam County Code of Ordinances.
6. If any provision of the Order is invalidated by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions of the Order, which shall continue to have the full force and effect of law.
7. This order shall remain in effect during the state of local emergency for the forest and brush fires in Putnam County unless either modified or rescinded.



Larry Harvey, Chairman
Board of County Commissioners
Putnam County, Florida

4/20/17
Date