



YAVAPAI COUNTY BOARD OF SUPERVISORS

RESOLUTION NO. 2063

RESOLUTION IMPOSING AN OUTDOOR FIRE BAN ORDER AND RESTRICTIONS FOR YAVAPAI COUNTY ON PUBLIC AND PRIVATE LANDS IN THE UNINCORPORATED AREAS OF YAVAPAI COUNTY AND URGING CAUTION IN ALL USES OF FIRE DURING THE PERIOD OF EXTREME FIRE DANGER

WHEREAS, a fire emergency determination has been declared by the Yavapai County Emergency Management Officer, in accordance with Yavapai County Ordinance 2020-2, Section VI, and,

WHEREAS, the Chairman of the Yavapai County Board of Supervisors has placed an interim order prohibiting unauthorized use of fire, to protect the public, infrastructure, and environment, in accordance with Yavapai County Ordinance 2020-2, Section VII, and A.R.S. § 11-251(63), and,

WHEREAS, Southwestern Region National Forests in the states of Arizona and New Mexico, Arizona Department of Forestry and Fire Management, Bureau of Land Management, and Bureau of Reclamation, have imposed additional fire restrictions effective on June 23, 2021, and June 25, 2021, at 8 a.m. MST, and,

WHEREAS, the restrictions are due to concerns with the trending high Energy Release Component (ERC), decreasing fuel moisture levels, low relative humidity levels, a high-risk potential for large fire events, a significant reduction in available fire suppression personnel and equipment due to the number of ongoing wildfires throughout the Southwestern U.S., and multiple Red Flag days; all of which have contributed to concerns for the well-being and health of suppression personnel, and,

WHEREAS, this determination includes the following Fire Ban Zones: Northern, Central, Eastern, and Southern Zones of Yavapai County, which include the following cities and towns: Prescott, Prescott Valley, Dewy Humboldt, Mayer, Cordes Junction, Black Canyon City, Congress, North Wickenburg, Peoples Valley, Yarnell, Wilhoit, Cottonwood, Sedona, Camp Verde, and unincorporated areas herein, and,

WHEREAS, the Yavapai County Board of Supervisors, has in its scheduled meeting, on June 30, 2021, ratified and approved a Yavapai County Fireworks Prohibition and Outdoor Fire Ban Order in accordance with provisions of Yavapai County Ordinance 2020-2, Section VII, and,

WHEREAS, the immediate operation of the provisions of this Resolution is necessary for the preservation of the public peace, health and safety of the County, an emergency is hereby declared to exist, and this Resolution is enacted as an emergency measure and will be in full force and effect after its passage, adoption and approval by the Board of Supervisors.

NOW, THEREFORE, IT IS HEREBY ORDERED that pursuant to Yavapai County Ordinance 2020-2:

Subject to those exceptions set forth in this Order, and Yavapai County Ordinance 2020-2, Section V, all open fires and campfires on private and public land in the unincorporated areas of Yavapai County are hereby prohibited until such time as the Emergency Management Officer of Yavapai County determines that the extreme fire danger has subsided; and,

Pursuant to Yavapai County Ordinance 2020-2, Section VIII.A, fireworks, and other pyrotechnic displays are expressly prohibited, unless such displays are approved in writing in advance by the jurisdictional fire agency and a fireworks permit has been approved by the Board of Supervisors; and,

Pursuant to Yavapai County Ordinance 2020-2, Section VIII.B, and in coordination with other governmental entities that manage lands within Yavapai County, **Stage 1** restrictions are hereby implemented as part of this action, which includes prohibition of:

- a. Building, maintaining, attending, or using a fire or campfire except within a developed recreation site, or improved site.
- b. Smoking, except within an enclosed vehicle or building, a developed recreation site, or while stopped in an outdoor area at least three feet in diameter that is barren or cleared of all flammable materials.
- c. Operating or using any equipment with an internal or external combustion engine without a spark arresting device properly installed, maintained and in effective working order meeting either the USDA Forest Service Standard 5100-1a (as amended), or appropriate Society of Automotive Engineers (SAE) recommended practice J335(b) and J350(a) (36 CFR 261.52 (j)).; and,

Pursuant to Yavapai County Ordinance 2020-2, Section VIII.C, and in coordination with other governmental entities that manage lands within Yavapai County, **Stage 2** restrictions are hereby implemented as part of this action (in addition to those restrictions of Stage 1 above), which includes prohibition of:

- a. Discharging or using any kind of firework or other pyrotechnic device when prohibited by the Permitted Fireworks section VIII.A.
- b. Using an explosive.
- c. Operating a chainsaw or other equipment powered by an internal combustion engine between the hours of 9:00 am to 8:00 pm.
- d. Welding or operating an acetylene or other torch with open flame.

e. Possession or use a motor vehicle off of Forest System Roads except when parking in an area devoid of vegetation within 10 feet of the roadway; and except for parking overnight in a developed campground and or trailheads.; and,

Pursuant to Yavapai County Ordinance 2020-2, Section VIII.D, and in coordination with other governmental entities that manage lands within Yavapai County, an **Outdoor Fire Ban** is hereby implemented as part of this action (in addition to those restrictions of Stages 1 and 2 above), which includes:

1. All outdoor burning is prohibited, to include, combustion, open fire, campfire, and fireworks, subject to the Permitted Fireworks section VIII.A, other than as follows:
 - a. Persons with a written permit or variance that specifically authorizes the otherwise prohibited act.
 - b. Any Federal, State, or Local officer or member of an organized rescue or firefighting force in the performance of an official duty.; and,

Liquefied propane or liquefied natural gas fueled stoves or lanterns and enclosed charcoal barbeque grills operated in residential yards are exempt from this prohibition, but the public is urged to exercise extreme caution in the use of such stoves, lanterns, or grills; and,

The public is urged to strictly obey any and all federal, state, or local fire restrictions currently in force as well as any such restrictions as may be enacted in the future; and,

The fire restriction set forth in this Order shall be subject to any exceptions established by current or future Federal, State, or Local fire restrictions and shall not apply on those public lands on which fire restrictions have not been imposed; and,

Regardless of any exceptions to the fire restrictions contained in this Order, or any exceptions contained in fire restrictions enacted by other entities, the public is hereby urged to use particular caution in all uses of fire during this period of extreme fire danger.

Approved and Adopted by the Yavapai County Board of Supervisors this 30th day of June, 2021.



Craig L. Brown, Chairman

ATTEST:



Kim Kapin, Clerk of the Board

APPROVED AS TO FORM:



Martin Brennan
Deputy County Attorney