



## COUNTY COUNCIL OF TALBOT COUNTY

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COREY W. PACK, President  
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DIRCK K. BARTLETT  
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LAURA E. PRICE

### **AN ADMINISTRATIVE RESOLUTION TO ADOPT AN EMERGENCY BURNING BAN THROUGHOUT TALBOT COUNTY DUE TO PROLONGED OR UNUSUAL CONDITIONS THAT ARE CONDUCTIVE TO THE EASY START AND SPREAD OF FIRE**

**WHEREAS**, drought or near-drought conditions throughout Talbot County have created an unusually dry period with temperatures for the month of June the highest on record for the previous 5 years; and,

**WHEREAS**, the National Climactic Data Center shows 55 percent of the United States is in a moderate to extreme drought that includes the Delmarva Peninsula. Soil along Maryland's Mid-Shore, including Talbot County, is extremely dry, not just from this year, but from an accumulation over the past three years of extreme heat and drought; and,

**WHEREAS**, the number and scope of recent fire reports and incidents have increased, including a single brush fire or wildfire that took multiple fire companies 9 hours to control, with firefighters in full fire gear in outside temperatures near or exceeding 100°F, causing severe stress both on individual volunteer firemen and companies and on available firefighting resources throughout the County; and,

**WHEREAS**, the exercise of sound and prudent discretion to protect public health, safety, and welfare, to conserve firefighting resources, and to protect the general public and their property from these increased risks and instances of fires, reasonably requires the County Council to be proactive by immediately banning open air burning throughout the County.

**NOW, THEREFORE, BE IT RESOLVED** by the County Council of Talbot County, Maryland, on this 24th day of July 2012, that:

1. The recitals set forth above are hereby adopted as findings of fact and are incorporated by reference as a substantive part of this administrative resolution.
2. A complete ban on all open air burning is hereby adopted throughout Talbot County.
3. During the entire time this burning ban is in effect, no person may allow, permit, cause, start, or continue, despite a request to discontinue, any open air burning.
4. As used in this administrative resolution, "open air burning" means burning any material in the open or in a receptacle other than a barbecue grille, furnace, incinerator, or other equipment connected to a stack or chimney, including use of fireworks, sparklers, or sparkling devices, excepting lawfully permitted municipal fireworks displays.

5. The burning ban adopted by this administrative resolution shall become effective on Wednesday, July 25, 2012, at 9:00 AM and shall continue for a period of 45 days, and shall expire on Saturday, September 8, 2012, at 9:00 AM, unless terminated or extended by separate resolution or legislative act before that date.

6. The County shall promptly provide notice of adoption of this burning ban by publication in a newspaper of general circulation in the County, including the information set forth in paragraph 5 above. In addition, the County shall post a similar notice on the County website and, if available, as a crawler on local PEG cable television networks and as a public service announcement on local radio stations. Failure to provide any such notice or notices shall not invalidate the burning ban

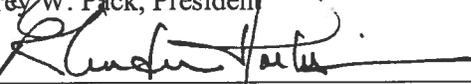
7. As used in this administrative resolution, the term "public officer" means the Chief Code Compliance Officer, his designees, and Talbot County Fire Chiefs and their designees.

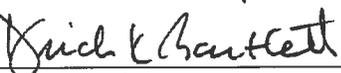
8. During the entire time this burning ban is in effect, a public officer having reasonable suspicion to believe that open air burning is occurring in Talbot County may enter on the public or private property of any person to extinguish the fire. Nothing in this section authorizes any public officer to enter any dwelling, structure, or building.

9. This administrative resolution is subject to amendment or modification, including extension or termination by a separate resolution or legislative act of the Council as may be reasonably required from time to time.

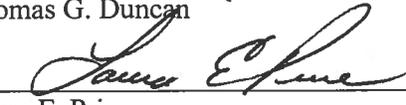
GIVEN UNDER OUR HANDS AND THE GREAT SEAL OF TALBOT COUNTY, THIS 24<sup>TH</sup> DAY OF JULY, IN THE YEAR OF OUR LORD TWO THOUSAND AND TWELVE.

  
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Corey W. Pack, President

  
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R. Andrew Hollis, Vice President

  
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Dirk K. Bartlett

  
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Thomas G. Duncan

  
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Laura E. Price

ADOPTED:

By the Council July 24, 2012

Certified Susan Moran  
Susan Moran, Secretary