

**PENNINGTON COUNTY
BOARD OF COMMISSIONERS MINUTES
July 3, 2012**

A meeting of the Pennington County Board of Commissioners was held on Tuesday, July 3, 2012, in the Commissioners' meeting room of the Pennington County Courthouse. Chairperson Lyndell Petersen called the meeting to order at 9:00 a.m. with the following Commissioners present: Ron Buskerud, Ken Davis, Don Holloway and Nancy Trautman.

APPROVAL OF THE AGENDA

MOVED by Davis and seconded by Buskerud to approve the agenda as presented. Vote: Unanimous.

**PENNINGTON COUNTY RESOLUTION
AN EMERGENCY RESOLUTION REGULATING OPEN BURNING IN
CAMPGROUNDS AND USE OF FIREWORKS IN PENNINGTON COUNTY**

WHEREAS, pursuant to SDCL § 7-8-20(18) the Board of Commissioners of Pennington County are authorized to prohibit or restrict open burning in order to protect the public health and safety; and

WHEREAS, Pennington County Ordinance # 632 (Section II.C.1.) specifically authorizes the Board of Commissioners, by resolution, to ban open burning in campgrounds that are defined by the ordinance to include permitted commercial campgrounds operated by private individuals or corporations and the State of South Dakota; and

WHEREAS, pursuant to SDCL Chap. 34-37 the Board of Commissioners of Pennington County are authorized to prohibit the use of fireworks outside the boundaries of municipalities in order to protect the public health and safety; and

WHEREAS, with the fire danger index having recently reached the extreme category and with wildfires presently burning in the Black Hills, forest land managers and fire suppression and law enforcement agencies are calling for emergency measures to be enacted to help protect against the ignition and spread of wildfires in the County; and

WHEREAS, the Board of Commissioners of Pennington County find that the persistent extreme weather conditions pose a real danger for the ignition and spread of wildfire and it is necessary for the immediate preservation of the public health and safety that temporary emergency measures be taken at this time to prohibit open burning (open fires) in campgrounds and use of fireworks under such conditions.

NOW, THEREFORE BE IT RESOLVED, that effective immediately and pursuant to SDCL §7-18A-8, SDCL Chap. 34-37 & Ordinance # 632, all open burning ("open fire") within the boundaries of any private commercial, state or federal campground in Pennington County and the use of fireworks in Pennington County is hereby prohibited when the National Weather

July 3, 2012

Service has declared the Grassland Fire Danger Index to be in the very high or extreme category in Pennington County outside the boundaries of any municipality. The prohibition as provided herein shall automatically be suspended during any time period the Grassland Fire Danger Index falls below the very high category in Pennington County; and

BE IT FURTHER RESOLVED, that a violation of the prohibition against open burning contained herein shall be subject to the penalty provisions as provided in Pennington County Ordinance #632; and

BE IT FURTHER RESOLVED, that a violation of the prohibition against use the fireworks contained herein is punishable as a Class 1 misdemeanor as provided in SDCL § 34-37-14; and

BE IT FURTHER RESOLVED, that this prohibition shall remain in effect until lifted by motion of the Pennington County Board of Commissioners.

Dated this 3rd day of July, 2012.

/s/ Lyndell Petersen, Chairperson
Pennington County Commission

ATTEST: (SEAL)

/s/ Julie A. Pearson, Pennington County Auditor

ADJOURN

MOVED by Buskerud and seconded by Davis to adjourn the meeting. Vote: Unanimous. There being no further business, the meeting was adjourned at 1:55 p.m.

Julie A. Pearson, Auditor

Published once at a cost of ____.

Publish: July 18, 2012