

PROCLAMATION DECLARING LOCAL STATE OF EMERGENCY

PURSUANT to the authority conferred by Chapter 252, Florida Statutes, and Alachua County Ordinance 08-18, (codified in Chapter 27 of the Alachua County Code) as Chair of Alachua County Board of County Commissioners, and pursuant to Section III, Subsection A, Item 3 of the Alachua County Comprehensive Emergency Management Plan, dated July 10, 2007, after consultation with state and local authorities that severe drought and weather conditions, combined with the abundance of easily-ignitable dead vegetation, increase the potential of serious wildfires occurring within the County, I hereby declare that a local state of emergency exists in Alachua County effective May 31, 2011, 1:00 p.m., and will continue to exist until formally terminated by a majority of the Alachua County Board of County Commissioners or pursuant to Chapter 27, Alachua County Code.

THIS PROCLAMATION authorizes the activation of the Alachua County Emergency Operations Plan and the exercise of all powers provided by Chapter 252, Florida Statutes, and Alachua County Ordinance 08-18, (Chapter 27 of the Code).

HEREBY PROCLAIMED this 31st day of May, 2011.

BOARD OF COUNTY COMMISSIONERS
ALACHUA COUNTY, FLORIDA

By: Paula M. DeLooney - Vice Chair
for Lee Pinkoson, Chair

ATTEST:

J. K. "Buddy" Irby
J. K. "Buddy" Irby, Clerk

(SEAL)

APPROVED AS TO FORM

D. Wagner
Alachua County Attorney

**A STATE OF EMERGENCY ORDER PERTAINING TO A BAN ON
THE USE OF FLARES, EXPLOSIVES, OR OUTDOOR
BURNING DEVICES OR OTHERWISE LAWFUL OUTDOOR BURNING**

WHEREAS, a state of local emergency was declared on May 31, 2011, pursuant to Chapter 252, Florida Statutes, and Alachua County Ordinance 08-18 (codified in Chapter 27 of the Alachua County Code) because of the severe threat of fire to lives and property of residents of Alachua County; and,

WHEREAS, that due to the current and forecast drying conditions, frequent wildfire occurrence, and observed severe fire behavior, combined with the abundance of easily-ignitable winter-kill vegetation, which continue to cause, exacerbate, and threaten wildfires within Alachua County, further measures are required to protect Alachua County citizens, and visitors, and to otherwise protect their health, safety, welfare and property;

NOW, THEREFORE, in accordance with the emergency power vested in the County pursuant to Chapter 252, Florida Statutes, it is hereby ordered that, during the state of local emergency, the use of outdoor burning devices (excluding attended and monitored barbeque/cooking equipment) and any otherwise lawful outdoor burning such as lawn, debris, or trash burning, shall be prohibited throughout Alachua County during the period of local emergency and any extension(s) thereof. Permits for commercial burning may be issued by the Division of Forestry or their designees on a case-by-case basis only after an on-site inspection is made and it is determined there will be sufficient fire suppression equipment and personnel on-site. Campfires may be permitted within designated recreational areas only, pursuant to applicable regulations and guidelines. Controlled burning for fuel reduction or fire suppression purposes by authorized emergency response agencies is expressly excluded from the ban

If any provision of this Order is invalidated by a court of competent jurisdiction, such invalidity shall not affect the remaining provision of the Order which shall continue to have the full force and effect of law.

This state of local emergency order may be modified in whole or in part, extended, or may be terminated upon the joint recommendation of the Alachua County Director of Public Safety and the Alachua County Manager by action of the Chair of the Board of County Commissioners, with ratifications in any event by the Board of County Commissioners as soon as is practicable at a regular or special meeting.

Any person not abiding by the order shall be subject to a fine, imprisonment or both, or other civil action or penalty, in accordance with Alachua County Ordinance 08-18 (codified in Chapter 27 of the Alachua County Code) and Sections 10.08 and 10.09 of the Alachua County Code, and Section 252.50, Florida Statutes. This order is enforceable by law enforcement officers within Alachua County and is enforceable by municipal law enforcement officers within the municipalities within the County.

DONE and ORDERED THIS 31st day of May, 2011.

BOARD OF COUNTY COMMISSIONERS
ALACHUA COUNTY, FLORIDA

By: Paula G. DeBruin Vice-Chair
for Lee Pinkoson, Chair

ATTEST:

J. K. Irby
J. K. Irby, Clerk

(SEAL)

APPROVED AS TO FORM

A. Wap
Alachua County Attorney