

**COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND**

2011 Legislative Session

Legislative Day No. 12

**Resolution No. 76-2011**

Introduced by: The President of the Council at the request of the County Executive

**A RESOLUTION TO INSTITUTE A TEMPORARY BAN ON ANY OUTDOOR BURNING IN WICOMICO COUNTY, MARYLAND.**

**WHEREAS**, the current drought conditions affecting Wicomico County present an imminent threat of widespread or severe damage, injury, or loss of life or property resulting from fire and other public calamity resulting from the spread of fire, which requires emergency action; and

**WHEREAS**, Chapter 15 of the Wicomico County Code authorizes the County Executive to declare a local state of emergency; and

**WHEREAS**, the County Executive, has determined that extraordinary measures must be taken to protect the safety of the citizens of Wicomico County and the property of Wicomico County from potential fire damage; and

**WHEREAS**, the County Executive has declared a temporary ban on any outdoor burning due to the abnormally dry conditions in the County which will expire on June 15, 2011; and

**WHEREAS**, it appears based on the recommendation from the Health Department that drought conditions will continue to exist and that the burning ban should be continued; and

**WHEREAS**, Section 15-8 C. of the Wicomico County Code authorizes the County Council to extend declarations of an emergency for the duration of the emergency by Resolution.

**NOW, THEREFORE, BE IT RESOLVED**, by the County Council of Wicomico County, Maryland, at the request of the County Executive, pursuant to Chapter 15 of the Wicomico County Code, that

- (1) An emergency ban on all outdoor burning , except as provided below, shall be in effect from the date of this Resolution for the duration of the emergency as determined by the County Council. The following shall be exempted:
  - (a) Supervised burning in the presence of a volunteer or paid fire department on site with equipment, qualified personnel and available water supply for the duration of the event, as provided by State law;
  - (b) Gas and charcoal grill for their proper use;
  - (c) Campfires at Roaring Point and Sandy Hill campgrounds, which must be monitored at all times. All such campfires shall be confined to designated fire rings, grills, fire pits, fireplaces or other facilities constructed for fire. Before breaking camp, fires should be drowned and completely extinguished.
  - (d) Recreational campfires on private property and public campgrounds are permitted. The campfires are limited to a size of 2 feet in width and 3 feet height;
  - (e) The staging of professional fireworks displays.

- (2) Violation of this ban shall be considered a civil infraction, punishable by a fine of \$500.00 per incident and prosecuted in accordance with Chapter 221 of the Wicomico County Code.
- (3) The Code Enforcement Division of the Department of Planning, Zoning and Community Development is empowered and authorized to enforce the provisions of this Resolution.

**AND BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately.

**AND BE IT FURTHER RESOLVED**, that this Resolution shall remain in effect for the duration of the emergency.

Done at Salisbury, Maryland, this 14<sup>th</sup> day of June, 2011.

ATTEST:

COUNTY COUNCIL OF  
WICOMICO COUNTY, MARYLAND



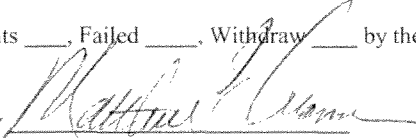
Matthew E. Creamer,  
Council Administrator



Gail M. Bartkovich,  
Council President

CERTIFICATION

This Resolution was Adopted , Adopted with Amendments , Failed , Withdraw  by the County Council on June 14, 2011.

Certified by   
Matthew E. Creamer, Council Administrator