ORDER OF THE
CO NAME COUNTY
COMMISSION
COUNTYWIDE BURN BAN

WHEREAS, **Co Name** County, Missouri ("County") is a county of the third classification; and

WHEREAS, section 49.266.3, RSMo. provides that upon a determination by the state fire marshal that a burn ban order is appropriate for a county because: (1) an actual or impending occurrence of a natural disaster of major proportions within the county jeopardizes the safety and welfare of the inhabitants of such county; and (2) the U.S. Drought Monitor has designated the county as an area of severed, extreme, or exceptional drought, the County Commission may adopt an order or ordinance issuing a burn ban, which may carry a penalty of up to a class A misdemeanor.

WHEREAS, state agencies responsible for fire management or suppression activities and persons conducting agricultural burning using best management practices shall not be subject to the provisions of section 49.266.3, RSMo.; and

WHEREAS, the ability of an individual, organization, or corporation to sell fireworks shall not be affected by the issuance of a burn ban; however, the county burn ban may prohibit the explosion or ignition of any missile or skyrocket as the terms "missile" and "skyrocket" are defined by the 2012 edition of the American Fireworks Standards Laboratory, but shall not ban the explosion or ignition of any other consumer fireworks as the term "consumer fireworks" is defined under section 320.106, RSMo; and

WHEREAS, the U.S. Drought Monitor has designated **Co. Name** County as an area of severe drought; and

WHEREAS, the state fire marshal and the County Commission has determined that a burn ban order is appropriate for **Co Name** County, Missouri, on the grounds stated in section 49.266.3(1) and (2); and

NOW, THEREFORE, be it resolved and ORDERED by the County Commission of **Co Name** County, Missouri, as follows:

1. Recitals and Findings. The recitals contained above in the preamble of this Order are incorporated herein by reference, the same as though set forth in this section of this Order, as the findings of the County Commission.

2. Burn Ban Order. The County Commission hereby enacts this Order prohibiting burning on a countywide basis until further notice and until the conditions set forth in section 49.266.3, RSMo., giving rise to this Order no longer exist, except that state agencies responsible for fire management or suppression activities and persons conducting agricultural burning using best management practices shall not be subject to the provisions of section 49.266.3, RSMo. and this section, and further, the ability of an individual, organization, or corporation to sell fireworks shall not be affected by the issuance of this burn ban; however, this Order prohibits the explosion

or ignition of any missile or skyrocket as the terms "missile" and "skyrocket" are defined by the 2012 edition of the American Fireworks Standards Laboratory, but shall not ban the explosion or ignition of any other consumer fireworks as the term "consumer fireworks" is defined under section 320.106, RSMo.

3. Effective Date. This Order shall take effect and be in full force from and after its date of passage and approval by the County Commission.

4. Codification and Notice. This Order shall be codified, printed, and made available for public use.

So ordered this 21st day of July, 2022.

Co Name COUNTY COMMISSION

_____
Name
Presiding Commissioner

_____
Name
North District Commissioner

_____
Name
South District Commissioner

ATTEST

On this 21st day of July, 2022, before me personally appeared **Name**, Presiding Commissioner; **Name**, North District Commissioner; and **Name**, South District Commissioner, and said Commissioners acknowledged this Order to be the free act and deed of and on behalf of the **Co Name** County Commission. I, Name, Clerk of the **Co Name** County Commission do hereby certify that the above and foregoing is a true and accurate record of the Order, made and entered by the **Co Name** County Commission as of the date set forth above.

_____
County Clerk