

**RESOLUTION # 226-19-26**

**Resolution Declaring an Emergency and Ban of the Discharge of Fireworks  
In Rural Texas County Outside of Incorporated Limits of Towns and Cities**

**WHEREAS**, the Board of County Commissioners of Texas County, Oklahoma, has the power to declare an emergency under the Emergency Operations Plan;

**WHEREAS**, the Board of County Commissioners of Texas County, Oklahoma, has the authority and power to impose a "Burn Ban" within Texas County upon its determination that a state of extreme fire danger exists pursuant to Title 2, Section 16-26.B of the Oklahoma Statutes;

**WHEREAS**, the Board of County Commissioners of Texas County, Oklahoma, have the documented concurrence of a majority of the chiefs, or their designees, of the municipal and certified rural fire departments located in Texas County that a period of extreme fire danger exists in the county at this time;

**WHEREAS**, the Board of County Commissioners of Texas County, Oklahoma, hereby declares the current existence of extreme drought conditions and extreme fire danger in all of Texas County, and have declared and imposed a county wide Burn Ban; and

**WHEREAS**, the Board of County Commissioners of Texas County, Oklahoma, has further determined the discharge or use of fireworks in all rural areas of Texas County outside the incorporated limits of any town or city in Texas County should be banned due to the extreme fire danger conditions existing in Texas County, and that enforcement and penalty provisions should be adopted and imposed for violations of the ban against discharging fireworks:

**IT IS HEREBY RESOLVED**, after due consideration, in addition to the "Burn Ban" resolution declaring a period of extreme fire danger to exist in Texas County, Oklahoma, the Board of County Commissioners of Texas County, Oklahoma, hereby declares and implements an immediate ban on the discharge of fireworks in all rural areas of Texas County outside the incorporated limits of any town or city in Texas County, with such ban in discharging fireworks to continue during the period of the Burn Ban and any extensions thereof.

Pursuant to Oklahoma Statutes, Title 2, Section 16-26.B, it shall be unlawful for any person to violate the provisions of this Resolution by discharging any fireworks in all rural areas of Texas County outside the incorporated limits of any town or city in Texas County.

Any willful violation of this ban will may result in the imposition and recovery of severe financial sanctions and/or reimbursement upon the violator including, but not limited to, actual costs incurred to extinguish a fire and any civil remedies pursued by victims of such willful negligence or indifference in violation of this resolution.

Further, any person convicted of violating this Resolution shall be guilty of a misdemeanor and shall be subject to a fine of not more than Five Hundred Dollars (\$500.00), to imprisonment for not more than one (1) year, or to both such fine and imprisonment.

The provisions of this Resolution may be enforced by any law enforcement officer of the State of Oklahoma.

**BE IT FURTHER RESOLVED**, this resolution is hereby passed and approved as an “Emergency Resolution” in regular session, this 22<sup>nd</sup> day of June 2020, and shall be effective immediately upon posting and issuance of notice hereof as required by law.

Board of County Commissioners of Texas County


  
Ted Keeling, Chairman

  
Richard Bryan, Commissioner

  
Jack Strain, Commissioner

ATTEST:

( S E A L )

  
Wendy Johnson, County Clerk



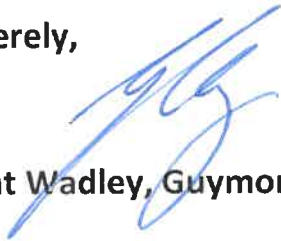
**To: Texas County Commissioners**

**From: Grant Wadley, Guymon Fire Chief & Texas County Fire Chief'  
Representative**

**Reference: Texas County Burn Ban**

**Due to extreme fire danger that exists in Texas County, the Fire Chiefs of Texas County request the on-going continuing of the Burn Ban. It is the opinion of the Fire Chiefs this Burn Ban will immediately decrease the amount of people fatally injured or property lost to fire during this time.**

**Sincerely,**



**Grant Wadley, Guymon Fire Chief**