

Lee County Board Of County Commissioners
Agenda Item Summary

Blue Sheet No. 20070583

1. **ACTION REQUESTED/PURPOSE:** Adopt Resolution and approve the third extension of the Declaration of a State of Local Emergency and the prohibition of the use of open burning and other outdoor ignition sources.

2. **FUNDING SOURCE:** N/A

3. **WHAT ACTION ACCOMPLISHES:** Implements Lee County Ordinance 02-08, prohibiting the use of outdoor ignition sources and extends the State of Local Emergency for an additional seven (7) days.

4. **MANAGEMENT RECOMMENDATION:** Approve.

5. **Departmental Category:** 06

WO # 2

6. **Meeting Date:** April 10, 2007

7. **Agenda:**

- Consent
- Administrative
- Appeals
- Public
- Walk-On

8. **Requirement/Purpose:** (specify)

- Statute
- Ordinance 02-08
- Admin. Code
- Other

9. **Request Initiated:**

Commissioner _____
Department Public Safety
Division _____
By: John D. Wilson, Director

10. **Background:**

On Tuesday, March 20, 2007, the Board approved Lee County Resolution No. 07-03-24 enacting the Declaration of the State of Local Emergency as per Lee County Ordinance No. 02-08, that prohibits outdoor burning and the use of other outdoor ignition sources during certain weather and vegetative conditions.

On Tuesday, March 27, 2007, the Board approved Lee County Resolution No. 07-03-32 extending the State of Local Emergency. On Tuesday, April 3, 2007, the Board approved Lee County Resolution No. 07-04-09, (second extension) extending the State of Local Emergency.

State of Local Emergencies are only effective for seven (7) days and must be extended in seven (7) day increments until rescinded. Conditions have not improved and it is recommended that the State of Local Emergency and burn prohibition be extended another seven (7) days.

ATTACHMENT: Resolution (third extension)

11. **Review for Scheduling:**

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.	
				Andrea Pascoe	DEH 4/9/07	MC 4/9/07	N/A	WJW	[Signature]

12. **Commission Action:**

- Approved H/K
- Deferred
- Denied
- Other

Rec. by CoAtty
Date: 4/9/07
Time: 10:30 AM
Admin. 4/9/07

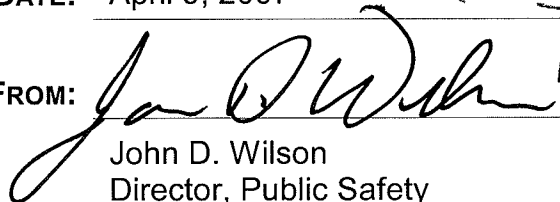
**MEMORANDUM
FROM THE
OFFICE OF COUNTY ATTORNEY**

2007 APR -9 AM 10:17
RECEIVED BY
LEE CO. ATTORNEY

DATE: April 9, 2007

TO: Libby Walker, Director
Public Resources

FROM:


John D. Wilson
Director, Public Safety

RE: **WALK-ON AGENDA ITEM
BOARD OF COUNTY COMMISSIONERS MEETING OF APRIL 10, 2007
BLUE SHEET No. 20070583**

Attached please find Blue Sheet No. 20070583, which I am requesting as a walk-on for the Tuesday, April 10, 2007 Board meeting. I am requesting it as a walk-on in order to extend the State of Local of Emergency and the Burn Ban Ordinance.

After approval, please add to the Board agenda and distribute as required. Thank you for your assistance in this matter.

JDW/awe

Attachment

LEE COUNTY RESOLUTION NO. 07-04-16

A RESOLUTION OF THE LEE COUNTY BOARD OF COUNTY COMMISSIONERS EXTENDING THE DECLARATION OF A STATE OF LOCAL EMERGENCY AND THE ENACTMENT OF ORDINANCE 02-08 PROHIBITING THE USE OF OPEN BURNING AND THE USE OF OTHER OUTDOOR IGNITION SOURCES DURING EXTREME DROUGHT CONDITIONS.

WHEREAS, on March 20, 2007, the Board of County Commissioners adopted Lee County Resolution No. 07-03-24 declaring a State of Local Emergency and enacted the Lee County Ordinance No. 02-08 prohibiting the use of outdoor burning ignition sources; and

WHEREAS, on March 27, 2007, the Board of County Commissioners adopted Lee County Resolution No. 07-03-32 and extended the Declaration of a State of Local Emergency; and

WHEREAS, on April 3, 2007, the Board of County Commissioners adopted Lee County Resolution No. 07-04-09 and extended the Declaration of a State of Local Emergency for a second extension; and

WHEREAS, the Board of County Commissioners finds that severe drought conditions continue to exist and extension of the declaration is necessary for the public's health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA that:

WO#2
4-10-07

1. The Recitals as set forth above are incorporated into the terms of this Resolution as if set forth herein at length.
2. The current conditions described above pose a serious threat to the public's health, safety, and welfare.
3. A State of Local Emergency shall be declared, effective immediately for Lee County, Florida.
4. Lee County Ordinance 02-08, prohibiting the use of outdoor burning ignition sources, shall be applicable and effective immediately for all unincorporated and incorporated areas within the local boundaries of Lee County, Florida during the State of Local Emergency.
5. This declaration shall be limited to seven (7) days and may be extended, as necessary, in seven (7) day increments.

Commissioner Hall made a motion to adopt the foregoing Resolution, seconded by Commissioner Judah. The vote was as follows:

ROBERT P. JANES	<u>Aye</u>
BRIAN BIGELOW	<u>Aye</u>
RAY JUDAH	<u>Aye</u>
TAMMARA HALL	<u>Aye</u>
FRANK MANN	<u>Aye</u>

DULY PASSED AND ADOPTED THIS 10th day of April, 2007.

ATTEST: CHARLIE GREEN
CLERK OF COURTS

BY: Marcia Wilson
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: [Signature]
Chairman

APPROVED AS TO FORM:

BY: [Signature]
Office of the County Attorney



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