

**WALK-ON**

**Lee County Board Of County Commissioners**

**Blue Sheet No. 20070692**

**Agenda Item Summary**

**1. ACTION REQUESTED/PURPOSE:** Adopt Resolution and approve the sixth 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

**W03**

**6. Meeting Date:** May 1, 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: Chris Hansen

Deputy 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.

The Board approved extending the State of Local Emergency, by Resolutions, on the following dates:

Tuesday, March 27, 2007, Lee County Resolution No. 07-03-32; Tuesday, April 3, 2007, Lee County Resolution No. 07-04-09, (second extension); Tuesday, April 10, 2007, Lee County Resolution No. 07-04-16, (third extension); Tuesday, April 17, 2007, Lee County Resolution No. 07-04-23, (fourth extension); Tuesday, April 24, 2007, Lee County Resolution No. 07-04-43, (fifth extension).

State of Local Emergencies are only effective for seven (7) days and must be extended in seven (7) day increments until rescinded.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 (sixth 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.	
<i>Chris Hansen</i>				<i>Andrea Jaser</i>	DEH 4/30/07	4/30/07	4/30/07	4/30/07	<i>[Signature]</i>

**12. Commission Action:**

Approved

Deferred

Denied

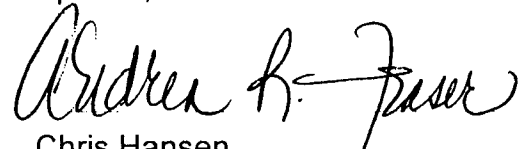
Other

**MEMORANDUM  
FROM THE  
OFFICE OF COUNTY ATTORNEY**

**DATE:** April 30, 2007

**To:** Libby Walker, Director  
Public Resources

**FROM:**

  
Chris Hansen  
Deputy Director, Public Safety

(Signed by Andrea R. Fraser, Acting  
Deputy County Attorney, to expedite)

**RE: WALK-ON AGENDA ITEM  
BOARD OF COUNTY COMMISSIONERS MEETING OF MAY 1, 2007  
BLUE SHEET No. 20070692**

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Attached please find Blue Sheet No. 20070692, which I am requesting as a walk-on for the Tuesday, May 1, 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.

CH/awe

Attachment

LEE COUNTY RESOLUTION NO. \_\_\_\_\_

**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**, on April 10, 2007, the Board of County Commissioners adopted Lee County Resolution No. 07-04-16 and extended the Declaration of a State of Local Emergency for a third extension; and

**WHEREAS**, on April 17, 2007, the Board of County Commissioners adopted Lee County Resolution No. 07-04-23 and extended the Declaration of a State of Local Emergency for a fourth extension; and

**WHEREAS**, on April 24, 2007, the Board of County Commissioners adopted Lee County Resolution No. 07-04-43 and extended the Declaration of a State of Local Emergency for a fifth 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:

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

ROBERT P. JANES	_____
BRIAN BIGELOW	_____
RAY JUDAH	_____
TAMMARA HALL	_____
FRANK MANN	_____

DULY PASSED AND ADOPTED THIS 1<sup>st</sup> day of May, 2007.

ATTEST: CHARLIE GREEN  
CLERK OF COURTS

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

BY: \_\_\_\_\_  
Deputy Clerk

BY: \_\_\_\_\_  
Chairman

APPROVED AS TO FORM:

BY: \_\_\_\_\_  
Office of the County Attorney