

**LEE COUNTY RESOLUTION NO. 26-05-03**

**A RESOLUTION OF THE LEE COUNTY BOARD OF  
COUNTY COMMISSIONERS PROHIBITING THE USE OF  
OPEN BURNING AND THE USE OF OTHER OUTDOOR  
IGNITION SOURCES DURING EXTREME DROUGHT  
CONDITIONS.**

**WHEREAS**, Lee County Ordinance 18-09 provides the Board of County Commissioners with the authority to adopt a Resolution prohibiting the use of open burning and other outdoor ignition sources on an emergency basis during periods and conditions of extreme drought; and

**WHEREAS**, the Keetch Byram Drought Index (KBDI) value currently exceeds 600 and according to the US Drought Monitor is in the moderate range for drought conditions; and

**WHEREAS**, the long-range forecast for Lee County is higher than normal temperatures and little to no rain; and

**WHEREAS**, per Section Two of Ordinance 18-09 the County Manager or Designee in consultation with a representative of the Lee County Fire Chief's Association and the Florida Forest Service Caloosahatchee District Manager have reviewed these conditions and recommend that the Board enact the provisions of this ordinance by adopting this Resolution; and

**WHEREAS**, the Board of County Commissioners of Lee County, Florida shall consider implementation and extension of this resolution at its regularly scheduled meetings of succeeding weeks when circumstances that created the severe drought conditions continue to exist.

**WHEREAS**, on January 20, 2026, the Lee County Board of County Commissioners adopted Resolution 26-01-10 declaring a State of Local Emergency (Burn Ban); and

**WHEREAS**, Resolution No. 26-01-10, as subsequently extended by Resolution No. 26-05-02 expires on May 19, 2026, unless extended; and

**WHEREAS**, an extension of Emergency Resolution No. 26-01-10 is necessary because the circumstances that created the severe drought conditions continue to exist.

**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 18-09, 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 thirty (30) days and may be extended, as necessary, in seven (7) day increments.

Commissioner Hamman made a motion to adopt the foregoing resolution,  
seconded by Commissioner Ruane. The vote was as follows:

|                      |     |
|----------------------|-----|
| Kevin Ruane          | Aye |
| Cecil L. Pendergrass | Aye |
| David Mulicka        | Aye |
| Brian Hamman         | Aye |
| Trish Petrosky       | Aye |

DULY PASSED AND ADOPTED this 19<sup>th</sup> day of May 2026.

ATTEST:  
KEVIN C. KARNES,  
CLERK OF CIRCUIT COURT

BY:   
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

BY:   
Cecil L. Pendergrass, Chair  
Commissioner Cecil L. Pendergrass, Chairman  
Lee County Board of County Commissioners  
District 2

APPROVED AS TO FORM FOR THE  
RELIANCE OF LEE COUNTY ONLY

  
County Attorney's Office

