

YANKTON COUNTY  
RESOLUTION TO PROVIDE FOR TEMPORARY EMERGENCY REGULATION OF FIRE  
HAZARDS IN YANKTON COUNTY

WHEREAS, the Commissioners of Yankton County are charged with the protecting health and safety of the citizens of Yankton County, including all property situated therein; and

WHEREAS, South Dakota Codified Law (SDCL) 7-8-20(18) authorizes the Yankton County Commission to prohibit or restrict open burning, after consultation with local fire officials and law enforcement officials, in order to protect the public health and safety; and

WHEREAS, the Yankton County Commission has consulted with local fire officials and law enforcement officials concerning the threat of wildfire from open burning under certain climatic conditions; and

WHEREAS, the Commissioners of Yankton County have determined that in the interest of public health and safety, it will prohibit open burning (open fire) when climatic conditions indicate the threat of wildfire and other dangerous fire hazards within Yankton County; and

WHEREAS, for purposes of this Resolution, “open burning” shall be defined as any outdoor fire, including but not limited to campfires, warming fires, charcoal grill fires, or the prescribed burning of fence rows, fields, wildlands, trash and debris. This Resolution excludes fires contained within liquid-fueled or gas-fueled stoves, fireplaces within all buildings, charcoal grill fires at private residences, and permanent fire pits or fire grates located on supervised developed picnic grounds and campgrounds; and

WHEREAS, conditions of wildfire and dangerous fire hazards now exist in Yankton County;

NOW, THEREFORE, BE IT RESOLVED, that the Yankton County Commission enact this Resolution on an emergency basis and impose a burn ban to prohibit or restrict open burning in Yankton County, and;

BE IT FURTHER RESOLVED that the ban will be in place until fire conditions improve as determined by the Yankton County Emergency Manager and Yankton County Emergency Officials within Yankton County.

BE IT FURTHER RESOLVED that a fine not to exceed two hundred dollars for each violation, or by imprisonment for a period not to exceed thirty days for each violation, or by both the fine and imprisonment, if found in violation of this Resolution, as per South Dakota Codified Law 7-18A-2, and that the costs for suppressing any fire, including response fees, mutual aid assistance from other agencies or fire departments, reimbursement to governments for suppression efforts and compensation to the firefighters for time lost from their employment, be born directly by the individual or individuals responsible for setting the fire.

Dated this 17<sup>th</sup> day of August, 2021.

Cheri Loest/s/  
Cheri Loest Chairman  
Yankton County Commission

ATTEST:

Patty Hojem/s/  
Patty Hojem, Auditor