

**RESOLUTION #2025-001**

**COUNTY COMMISSION RESOLUTION  
REGARDING  
A COUNTYWIDE BURN BAN**

WHEREAS, the County Commission of Polk County, Missouri, desires to take action to address the critical extreme fire conditions that exist in the County; and

WHEREAS, there is a recognition that the extreme drought and heat conditions will continue unabated for some time; and

WHEREAS, the County Commission recognized that the public health and safety is at extreme risk; and

WHEREAS, the County Commission has authority pursuant to Sec. 192.300 RSMo to address certain conditions related to the public health in conjunction with the County Health Department; and

WHEREAS, the County Commission exercising its emergency management authority under Sec. 44.080 RSMo desires to advance the health and safety interested of the County's residents and to cooperate with all other state and political subdivisions addressing the clear and present danger of the extreme fire hazards in Polk County; and

WHEREAS, the Emergency Management Operations personnel of the County and other public safety organizations have requested that the County Commission take all actions to assist in protecting the public located in unincorporated areas of the County; and

WHEREAS, it is against Missouri law pursuant to Sec. 569.055 RSMo and Sec. 569.065 RSMo to engage in certain burning activities; and

WHEREAS, local municipalities have adopted burn bans for certain incorporated areas pursuant to the municipalities' ordinance making authority.

**NOW THEREFORE BE IT RESOLVED:**

That the County Commission declares a public emergency exists in Polk County that threatens the health and safety interests of the public in the County; and

That the County Commission issues this burn ban resolution in exercising its limited authority in unincorporated areas of Polk County to bring attention to the public emergency; and

That the County Commission issues this burn ban resolution as a public declaration to be followed by all persons located within the unincorporated areas of Polk County until such

conditions for issuance of the emergency declaration have ceased to exist and the County Commission repeals this Resolution; and

That the County Commission declares the following acts to be prohibited within the boundaries:

1. Intentional, careless, or negligent use of materials that may result in combustion of any kind damaging property of any kind in the County; and
2. Building, maintaining, attending, or using any fireworks, open fire, or campfire, except in permanent stoves or fireplaces or attended barbeque grills, or as permitted by state law; and
3. Any prescribed burning of fence rows, fields, wild lands, trash, or debris unless specifically approved in writing by the County Director of Emergency Management or other legally authorized authority in the County.

That the County Commission directs the emergency management operations' personnel to cooperate with all other public entities and the state in addressing the fire conditions that exist in the County pursuant to Sec. 44.110 RSMo.

Adopted this 13<sup>th</sup> day of March, 2025 by the County Commission of Polk County, Missouri, meeting in public session, a quorum being present, as follows:

	AYE	NAY
<u>Shannon Hancock</u> Presiding Commissioner	<u>X</u>	_____
_____ Associate Commissioner	_____	_____
<u>Kyle Regan</u> Association Commissioner	<u>X</u>	_____

ATTEST:

Rachel Lidgett  
County Clerk