

EMERGENCY DECLARATION 2025-01

EMERGENCY DECLARATION AS TO GUIDELINES FOR OUTDOOR BURNING AND USE OF FIRE DURING DROUGHT

- WHEREAS, Delaware County and many parts of Indiana have been experiencing severe drought conditions due to lack of precipitation for the last several weeks; and
- WHEREAS, many counties in Indiana and around Delaware County have imposed “burn bans” due to risk of widespread fire hazards because of ongoing dry weather and windy conditions; and
- WHEREAS, the County Volunteer Fire Chiefs have determined that there exists an immediate and continuing hazardous condition for the residents and property owners in the County because of the dry conditions which have necessitated a ban on open burning and use of materials which may ignite fires; and
- WHEREAS, a countywide burn ban affecting certain activities is an appropriate public safety response to these fire hazards present by the dry weather and windy conditions.
- WHEREAS, pursuant to I. C. 10-14-3-29(a) the Board of Commissioners of Delaware County, IN hereby makes a local disaster emergency declaration; and
- WHEREAS, the Board of Commissioners of Delaware County, Indiana have determined that in response to the emergency and agrees with the local volunteer fire departments determination that a ban of outdoor activities which may ignite a fire with potentially devastating consequences is appropriate.

NOW THEREFORE WE, THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY, INDIANA HEREBY DECLARE THAT:

SECTION 1: EFFECTIVE IMMEDIATELY THE FOLLOWING ACTIVITIES ARE PROHIBITED IN DELAWARE COUNTY, INDIANA:

- A. Campfires and other recreational fires, unless enclosed in a fire ring;
- B. Open burning of any kind using conventional fuel such as wood or other combustible matter, except for grills fueled by charcoal briquettes or propane;
- C. The burning of debris, such as timber or vegetation, including such debris that results from building construction activities or clearing of vegetation for agricultural purposes;
- D. Discarding matches, ashes, cigarettes, or other burning materials from a vehicle; and,
- E. Fireworks and aerial firework devices.
- F. Burning will only be allowed in burn barrels with a one-quarter-inch mesh top from dusk to dawn.
- G. Charcoal briquettes from a permitted grill shall not be removed from the grill until the charcoal briquettes have thoroughly been extinguished.
- H. This shall not prohibit the use of gas grills or charcoal grills used solely for the preparation of food, fires within fireplaces, use of non-combustible fire rings, fires within incinerators permitted by state law and which are closely attended during

burning and sufficient fire extinguishers present. All such fires shall be promptly extinguished when complete.

SECTION 2. All appropriate laws, statutes, ordinances, and resolutions are now referenced, particularly Section 10-14-3-29 of the Indiana Code, Indiana Fire Code section 307.1.1, and 675 IAC 22-2.4-4.

SECTION 3. Any Delaware County law enforcement official, incorporated town marshal, deputy marshal or police officer may enforce any violations of this Emergency Burn Ban.

SECTION 4. All public offices and employees of Delaware County are now directed to exercise the utmost diligence in the discharge of duties required of them for the duration of the emergency and in the execution of emergency laws, regulations, and directives, whether state or local.


SECTION 5. All residents are called upon and directed to comply with necessary emergency measures, to cooperate with public officials and disaster service forces in executing emergency operations plans, and to obey and comply with the lawful directions of correctly identified officers.

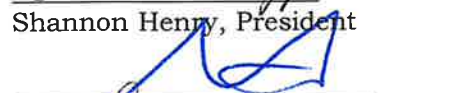
SECTION 6. All operating forces will directly direct their communications and requests for assistance and operations to the Emergency Management Director, John Coutinho.


SECTION 7. Pursuant to I. C. 10-14-3-29, this emergency declaration shall be in effect until rescinded by the Board of Commissioners, until 9:30 a.m., September 30, 2025 or when terminated by the County Volunteer Fire Chiefs, whichever is sooner.

In witness, whereof, we have hereunto set our hand this 17th day of September, 2025 at 10:00 o'clock a.m.

Delaware County Board of Commissioners


Shannon Henry, President


Stephen D. Brand, Vice President


Sherry Riffin, Member

Attest:


Edward Carroll
Delaware County Auditor