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4 **ORDINANCE NO. ORD16-06**

5 **AN URGENCY ORDINANCE OF THE MONO COUNTY**
6 **BOARD OF SUPERVISORS AMENDING**
7 **CHAPTERS 7.24 AND 7.28 OF**
8 **THE MONO COUNTY CODE TO PROHIBIT**
9 **FIRES AT COUNTY CAMPGROUNDS**
10 **AND PARKS DURING PERIODS**
11 **OF EXTREME FIRE DANGER**

12 **WHEREAS**, the use of campfires and open barbecues and barbecue pits (collectively referred
13 to in these recitals as “open fires”), even those considered “responsibly tended” greatly increases the
14 risk of fire which can result in the loss of life and property; and

15 **WHEREAS**, visitors and residents frequently have open fires within County campgrounds and
16 at County-operated parks; and

17 **WHEREAS**, Mono County is situated in a dry, high desert environment which is highly
18 susceptible to fire under normal conditions; and

19 **WHEREAS**, due to a prolonged drought and other factors, extreme fire hazard conditions exist
20 in Mono County this year and for the indefinite future; and

21 **WHEREAS**, it is therefore necessary and prudent to establish a mechanism whereby the
22 County may prohibit open fires during periods of extreme fire danger, such as the present, to reduce the
23 risk of damage to life and property; and

24 **WHEREAS**, for all of the reasons stated above, it is necessary to enact this ordinance as an
25 urgency measure for the immediate preservation of public health and safety;

26 **NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF MONO**
27 **ORDAINS** that:

28 **SECTION ONE:** Section 7.24.040 is hereby added to the Mono County Code and shall read as
follows:

“7.24.040 County Parks -- Fires

A. No person shall start or maintain an open fire in any barbecue, barbecue pit or other location
within a County park if the Mono County Sheriff, Board of Supervisors or the County
Public Works Director has determined in writing that fire danger in the area is extreme and
a notice informing the public of the prohibition has been posted in a visible location at the
park where the prohibition is to apply.

B. For purposes of this section, and except as provided in subsection C below, the
determination of whether fire danger is extreme shall be made based on factors including
but not limited to climate, precipitation, and wind forecasts, and may include consultation
with the chief of the fire protection district in which the park(s) are located (if any) and/or
with the National Forest unit for the region.

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- 2 C. If fires are prohibited at campgrounds within the National Forest unit for the region, then it
- 3 shall be presumed that fire danger is extreme. Upon written declaration by the Sheriff,
- 4 Board of Supervisors or Public Works Director that fire danger is extreme for this reason,
- 5 signs shall be posted at any County park within the covered area informing the public of the
- 6 prohibition.
- 7 D. A violation of this section is punishable by a fine not exceeding five hundred dollars (\$500)
- 8 or by imprisonment in county jail for up to six months, or by both that fine and
- 9 imprisonment.”

10 **SECTION TWO:** Subsection C of section 7.28.080 of the Mono County Code shall be

11 amended to read as follows:

12 **“7.28.080 Rules and Regulations**

13 C. No person shall start or maintain a campfire within any County-operated campground if

14 the Mono County Sheriff, Board of Supervisors, or the County Public Works Director has

15 determined in writing that fire danger in the area is extreme and a notice informing the public of

16 the prohibition has been posted at the campground fee station.

- 17 1. For purposes of this section, and except as provided in subsection 2, the
- 18 determination of whether fire danger is extreme shall be made based on factors
- 19 including but not limited to climate, precipitation, and wind forecasts, and may
- 20 include consultation with the chief of the fire protection district in which the
- 21 campground is located (if any) and/or with the National Forest unit for the region.
- 22 2. If fires are prohibited at campgrounds within the National Forest for the region, then
- 23 it shall be presumed that fire danger is extreme and, upon written declaration by the
- 24 Sheriff, Board of Supervisors or Public Works Director that fire danger is extreme in
- 25 the area, signs shall be posted informing the public of the prohibition.
- 26 3. A violation of this section is punishable by a fine not exceeding five hundred dollars
- 27 (\$500) or by imprisonment in county jail for up to six months, or by both that fine
- 28 and imprisonment.”

19 **SECTION THREE:** The Board of Supervisors finds and declares that this ordinance is

20 necessary for the immediate preservation of the health and safety of the citizens and residents of Mono

21 County for the following reasons:

- 22 1. During times of extreme fire danger, campfires and other open fires greatly increase the risk
- 23 of fire which can result in the loss of life and property; and
- 24 2. Mono County is situated in a windy, dry, high desert environment which is highly
- 25 susceptible to fire under normal conditions; and
- 26 3. Due to a prolonged drought and other factors it has become necessary to immediately
- 27 restrict campfires and other open fires at County campgrounds and/or parks.

28 **PASSED, APPROVED and ADOPTED** this 6th day of September, 2016, by the

following vote, to wit:

AYES: Supervisors Alpers, Corless, Fesko, Johnston and Stump.

NOES: None.

ABSENT: None.

ABSTAIN: None.

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ATTEST:

Clerk of the Board, Assistant


Fred Stump, Chair
Mono County Board of Supervisors

APPROVED AS TO FORM:

County Counsel
Christy Milovich, Deputy