

WALK-ON

**Lee County Board Of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20070660

1. ACTION REQUESTED/PURPOSE: Adopt Resolution and approve the fifth extension of the Declaration of a State of Local Emergency and the prohibition of the use of open burning and other outdoor ignition sources.

2. FUNDING SOURCE: N/A

3. WHAT ACTION ACCOMPLISHES: Implements Lee County Ordinance 02-08, prohibiting the use of outdoor ignition sources and extends the State of Local Emergency for an additional seven (7) days.

4. MANAGEMENT RECOMMENDATION: Approve.

5. Departmental Category: 06

WO#2

6. Meeting Date: April 24, 2007

7. Agenda:

- Consent
- Administrative
- Appeals
- Public
- Walk-On

8. Requirement/Purpose: (specify)

- Statute
- Ordinance 02-08
- Admin. Code
- Other

9. Request Initiated:

Commissioner _____
 Department Public Safety
 Division _____
 By: Chris Hansen
 Deputy Director

10. Background:

On Tuesday, March 20, 2007, the Board approved Lee County Resolution No. 07-03-24 enacting the Declaration of the State of Local Emergency as per Lee County Ordinance No. 02-08, that prohibits outdoor burning and the use of other outdoor ignition sources during certain weather and vegetative conditions.

The Board approved extending the State of Local Emergency, by Resolutions, on the following dates:

Tuesday, March 27, 2007, Lee County Resolution No. 07-03-32; Tuesday, April 3, 2007, Lee County Resolution No. 07-04-09, (second extension); Tuesday, April 10, 2007, Lee County Resolution No. 07-04-16, (third extension); Tuesday, April 17, 2007, Lee County Resolution No. 07-04-23, (fourth extension).

State of Local Emergencies are only effective for seven (7) days and must be extended in seven (7) day increments until rescinded. Conditions have not improved and it is recommended that the State of Local Emergency and burn prohibition be extended another seven (7) days.

ATTACHMENT: Resolution (fifth extension)

11. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgt.	
<i>Hansen</i>				<i>Bridger</i>	<i>DEH</i>	<i>MS</i>	<i>MS</i>	<i>MS</i>	<i>MS</i>
				<i>Frank</i>	<i>4/23/07</i>	<i>4/23/07</i>	<i>4/23/07</i>	<i>4/23/07</i>	<i>4-23-07</i>

12. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN: <i>4/23 @ 1:30</i>
COUNTY ADMIN FORWARDED TO: <i>AC</i> <i>4/23/07</i> <i>1:45pm</i>

MEMORANDUM
FROM THE
OFFICE OF COUNTY ATTORNEY

DATE: April 23, 2007

To: Libby Walker, Director
Public Resources

FROM:



Chris Hansen
Deputy Director, Public Safety

RE: **WALK-ON AGENDA ITEM**
BOARD OF COUNTY COMMISSIONERS MEETING OF APRIL 24, 2007
BLUE SHEET No. 20070660

Attached please find Blue Sheet No. 20070660, which I am requesting as a walk-on for the Tuesday, April 24, 2007, Board meeting. I am requesting it as a walk-on in order to extend the State of Local of Emergency and the Burn Ban Ordinance.

After approval, please add to the Board agenda and distribute as required. Thank you for your assistance in this matter.

CH/awe

Attachment

LEE COUNTY RESOLUTION NO. _____

A RESOLUTION OF THE LEE COUNTY BOARD OF COUNTY COMMISSIONERS EXTENDING THE DECLARATION OF A STATE OF LOCAL EMERGENCY AND THE ENACTMENT OF ORDINANCE 02-08 PROHIBITING THE USE OF OPEN BURNING AND THE USE OF OTHER OUTDOOR IGNITION SOURCES DURING EXTREME DROUGHT CONDITIONS.

WHEREAS, on March 20, 2007, the Board of County Commissioners adopted Lee County Resolution No. 07-03-24 declaring a State of Local Emergency and enacted the Lee County Ordinance No. 02-08 prohibiting the use of outdoor burning ignition sources; and

WHEREAS, on March 27, 2007, the Board of County Commissioners adopted Lee County Resolution No. 07-03-32 and extended the Declaration of a State of Local Emergency; and

WHEREAS, on April 3, 2007, the Board of County Commissioners adopted Lee County Resolution No. 07-04-09 and extended the Declaration of a State of Local Emergency for a second extension; and

WHEREAS, on April 10, 2007, the Board of County Commissioners adopted Lee County Resolution No. 07-04-16 and extended the Declaration of a State of Local Emergency for a second extension; and

WHEREAS, on April 17, 2007, the Board of County Commissioners adopted Lee County Resolution No. 07-04-23 and extended the Declaration of a State of Local Emergency for a second extension; and

WHEREAS, the Board of County Commissioners finds that severe drought conditions continue to exist and extension of the declaration is necessary for the public's health, safety and welfare.

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 02-08, 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 seven (7) days and may be extended, as necessary, in seven (7) day increments.

Commissioner _____ made a motion to adopt the foregoing Resolution,
seconded by Commissioner _____. The vote was as follows:

ROBERT P. JANES	_____
BRIAN BIGELOW	_____
RAY JUDAH	_____
TAMMARA HALL	_____
FRANK MANN	_____

DULY PASSED AND ADOPTED THIS 24 th day of April, 2007.

ATTEST: CHARLIE GREEN
CLERK OF COURTS

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Deputy Clerk

BY: _____
Chairman

APPROVED AS TO FORM:

BY: _____
Office of the County Attorney