

Lee County Board Of County Commissioners  
Agenda Item Summary

Blue Sheet No. 20070753

1. ACTION REQUESTED/PURPOSE: Adopt Resolution and approve the eighth 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 # 1

6. Meeting Date: May 15, 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 Emergency Mgmt.

By:

John D. Wilson, 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); Tuesday, April 24, 2007, Lee County Resolution No. 07-04-43, (fifth extension); Tuesday, May 01, 2007, Lee County Resolution No. 07-05-20, (sixth extension); Tuesday, May 08, 2007, Lee County Resolution No. 07-05-26, (seventh extension).

(Continued on Page 2)

11. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
Andrea Fraser				Andrea Fraser	Analyst DEA 5/14/07	Risk MKT 5/14/07	Grants 5/14/07	Mgr. 5/14/07	5-14-07

12. Commission Action:

- Approved
- Deferred
- Denied
- Other

Rec. by CoAtty
Date: 5/14/07
Time: 11:47 AM
Forwarded To:

**Blue Sheet No. 20070753**

**Walk-On**

**May 15, 2007**

**10. Background (Continued):**

State of Local Emergencies are only effective for seven (7) days and must be extended in seven (7) day increments until rescinded.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 (eighth extension)

**MEMORANDUM**  
FROM THE  
**OFFICE OF COUNTY ATTORNEY**

DATE: May 14, 2007

To: Libby Walker, Director  
Public Resources

FROM:

  
John D. Wilson  
Director, Public Safety

(Signed by Andrea R. Fraser, Acting  
Deputy County Attorney, to expedite)

RE: **WALK-ON AGENDA ITEM**  
**BOARD OF COUNTY COMMISSIONERS MEETING OF MAY 15, 2007**  
**BLUE SHEET No. 20070753**

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Attached please find Blue Sheet No. 20070753, which I am requesting as a walk-on for the Tuesday, May 15, 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.

JDW/awe

Attachment

LEE COUNTY RESOLUTION NO. 07-05-39

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 third 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 fourth extension; and

W0#1  
5-15-07

**WHEREAS**, on April 24, 2007, the Board of County Commissioners adopted Lee County Resolution No. 07-04-43 and extended the Declaration of a State of Local Emergency for a fifth extension; and

**WHEREAS**, on May 01, 2007, the Board of County Commissioners adopted Lee County Resolution No. 07-05-20 and extended the Declaration of a State of Local Emergency for a sixth extension; and

**WHEREAS**, on May 08, 2007, the Board of County Commissioners adopted Lee County Resolution No. 07-05-26 and extended the Declaration of a State of Local Emergency for a seventh 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 Hall made a motion to adopt the foregoing Resolution, seconded by Commissioner Mann. The vote was as follows:

ROBERT P. JANES	<u>Aye</u>
BRIAN BIGELOW	<u>Aye</u>
RAY JUDAH	<u>Aye</u>
TAMMARA HALL	<u>Aye</u>
FRANK MANN	<u>Aye</u>

DULY PASSED AND ADOPTED THIS 15<sup>th</sup> day of May, 2007.

ATTEST: CHARLIE GREEN  
CLERK OF COURTS

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

BY: Marcia Wilson  
Deputy Clerk

BY: Ray Judah  
Chairman



APPROVED AS TO FORM:

BY: Andrea B. Faser  
Office of the County Attorney