

**RESOLUTION #**  
**Washakie County Burning Regulations**

**WHEREAS**, the board of Washakie County Commissioners are empowered by Wyoming State Statute 35-9-301 through 35-9-304 to close areas to burning when fire danger in the county is extreme because of drought, the presence of any excessive amount of flammable material or for any other sufficient reason; and

**WHEREAS**, the County Fire Warden has recommended a policy that establishes standard practices for burning in Washakie County. The County Fire Warden shall be given authorization to issue 24 hour burn restrictions as needed, which shall be in effect during times of National Weather Service issued Red Flag Warnings and High Wind Warnings; and

**WHEREAS**, the Board of Washakie County Commissioners find that during declared Red Flag Warnings and High Wind Warnings there is often an extreme danger of fire and the high fire danger is aggravated by open burning and the use of incendiary devices,

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF WASHAKIE COUNTY COMMISSIONERS;**

- I. Effective **March 16, 2016** and until further notice, this Board adopts the Washakie County Burn Regulations and authorizes the Washakie County Fire Warden to issue temporary BURN RESTRICTIONS as needed which shall at his discretion be in effect during times of National Weather Service issued Red Flag Warnings and High Wind Warning in any and all locations of Washakie County.

WASHAKIE COUNTY  
BURNING REGULATIONS

1. NOTIFY WASHAKIE COUNTY DISPATCH CENTER AT **347-2242**.  
THE RESPONSIBLE PARTY SHALL PROVIDE:
  - a) THE LOCATION AND ACCESS OF THE CONTROLLED BURN.
  - b) NATURE OF BURN. (*Pile, Ditch, Open Area-Natural, Field*)
  - c) NAME AND CONTACT INFORMATION.
2. TIME OF IGNITION FOR BURNING 6:00 AM TO 5:00 PM.  
(*This helps prevent burning during times the smoke would be affected by an inversion.*)
3. NO FIRE SHALL BE STARTED IF THE WIND IS CURRENTLY OR EXPECTED TO EXCEED 15 MILES PER HOUR DURING THE BURN.
4. WIND WILL BE BLOWING AWAY FROM POPULATED AREAS WHEN BURN BEGINS.  
POPULATED AREAS INCLUDE, BUT ARE NOT LIMITED TO, PORTIONS OF PROPERTY NORMALLY OCCUPIED AS RESIDENTIAL, RECREATIONAL, INSTITUTIONAL, COMMERCIAL, OR EDUCATIONAL PREMISES, BUT DO NOT INCLUDE FIXED AREAS UNDER CONTROL OF THE OPEN BURNER.

5. THE RESPONSIBLE PARTY SHALL BE ON SITE OF THE CONTROLLED BURN, DURING ALL PERIODS OF ACTIVE FIRE, AND AT ALL TIMES, HAVE A WAY TO MANAGE THE CONTROLLED BURN TO HELP PREVENT AN OUT OF CONTROL WILDLAND FIRE.  
*(Examples: Water for suppression, Personnel with hand Tools, or Tractor with disking ability)*
6. THE RESPONSIBLE PARTY SHALL MEET THE ADDITIONAL WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY REQUIREMENTS FOR THE FOLLOWING TYPES OF CONTROLLED BURNS PER DAY; PER OWNERSHIP:
  - A) CROP BURNS >130 ACRES
  - B) RANGELAND/PASTURELAND BURNS >68 ACRES
  - C) VEGETATIVE PILES >1250 CUBIC FEET
  - D) ANY NON-VEGETATIVE OPEN BURNING; EXCEPT BURNS FOR RECREATIONAL PURPOSES OF COOKING FOOD, PROVIDING WARMTH FOR HUMAN BEINGS, AND BRANDING OF ANIMALS.
  - E) SEE ALSO APENDIX A AND B; ATTACHED HERETO AND MADE PARTNERS BY THIS REFERENCE.
7. THE WASHAKIE COUNTY FIRE WARDEN MAY SUSPEND ALL BURNING BASED ON A RED FLAG WARNING OR HIGH WIND WARNING BEING ISSUED FROM THE NATIONAL WEATHER SERVICE. WASHAKIE COUNTY DISPATCH WILL ADVISE CALLERS IF BURNING HAS BEEN SUSPENDED.

WASHAKIE COUNTY DISPATCH 307-347-2242

- II. During burn restrictions, discharge of fireworks and all outdoor fires are prohibited in unimproved areas defined as cropland, agricultural land, and undeveloped land which predominately remains in its natural forested or range condition, except as provided below:
  - A. Trash or refuse burned between the hours of 6:00 a.m. and 6:00 p.m. inside containers equipped with spark arresters and are located within a cleared area that has at least ten (10) foot radius, and comply with all other laws and requirements.
  - B. Camp fires contained within an established fire ring at an established campground provided the fire is in compliance with BLM, Forest Service, and National Park Service regulations in effect at the time.
  - C. Charcoal and gas fires within enclosed grills.
  - D. Use of acetylene cutting torches or electric arc welder provided the torches or welders are used within cleared area with at least a ten (10) foot radius.
  - E. Propane or open fire branding activities provided the branding activities are conducted within a cleared area with at least a ten (10) foot radius.
  - F. Flare stacks used in industry that meet the governing body's requirements.
  - G. Use of chain saw provided the chain saw has spark arresters properly installed and functioning.
  - H. Federal, State or local fire or law enforcement officers participating in fire, emergency, and law enforcement activities.

- III. The County Fire Warden shall hereby be vested with discretion, in the event of special circumstances, to permit burning, in circumstances that may vary slightly from these regulations, upon presentation of a reasonable request from a landowner or other person desiring such exception. Such request shall be presented as soon as is possible to the County Fire Warden so it may be acted upon appropriately. The County Fire Warden may, or may not, grant such exceptions as are contemplated hereby. There shall be no appeal or other recourse to a denial of a permit to burn under this provision.
- IV. The County Fire Warden shall promptly notify the Board of County Commissioners of any changes in the severity of the fire danger and if a longer restriction not associated with a Red Flag Warning is required.
- V. These regulations shall supersede state regulations to the extent that they modify such state regulations in any way.

**IT IS FURTHER RESOLVED**, that penalties provided in W.S. § 35-9-304 may be imposed for violations of this resolution; specifically a fine not to exceed one hundred dollars (100.00) or imprisonment not to exceed thirty (30) days or both to which may be added cost of restitution.

**BE IT FURTHER RESOLVED that** the County Fire Warden Shall immediately notify the Wyoming State Forester of the limitation provided for by this Resolution, as well as any and all Commissioners' Rules and Regulations and shall assist in public notification by posting the order and circulating it to all local media.

**PASSED AND APPROVED**, this 15th day of March, 2016.

**Terry Wolf, Member**

**Dale Wagner, Member**

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**Aaron Anderson, Chairman**  
**Washakie County Commissioners**

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**Washakie County Commissioners**

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**Washakie County Commissioners**

**Attest:**

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**Mary Grace Strauch, Washakie County Clerk**