

REVIEWED

LEGAL COUNSEL

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

A Resolution Declaring a State of Emergency and *
Imposing Public Use Restrictions on all * RESOLUTION NO. 2022-048
Unprotected Wildlands within unincorporated *
Deschutes County, and all Lands owned by
Deschutes County

WHEREAS, ORS 401.309 authorizes the county governing body to declare a state of emergency within the county; and

WHEREAS, wildland fires endanger the health and safety of the county’s population, jeopardize its economic vitality and imperil the quality of the environment; and

WHEREAS, the Deschutes County Emergency Operations Plan (EOP) provides in part that a state of emergency exists whenever the unincorporated area of the county is in imminent danger of suffering an event that may cause injury or death to persons, or damage to or destruction of property to the extent that extraordinary measures must be taken to protect the public health, safety, and welfare; and

WHEREAS, current weather patterns create conditions that greatly increase the threat and likelihood of high intensity wildland fires, including wildland-urban interface wildfires; and

WHEREAS, the definition of wildland fire is an unplanned, unwanted wildland fire including unauthorized human-caused fires, escaped wildland fire use events, escaped prescribed fire projects, and all other wildland fires where the objective is to put the fire out; and

WHEREAS, the Deschutes County Emergency Operations Plan and the Deschutes County Natural Hazards Mitigation Plan encourage mitigation and prevention measures, including ignition prevention; and

WHEREAS, Deschutes County seeks to implement a course of action that will reduce the risk of wildland fires within the unincorporated area of the county, now therefore,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, as follows:

Section 1. Pursuant to ORS 401.309 and the Deschutes County EOP, a State of Emergency is presently declared within the unincorporated areas of Deschutes County.

Section 2. Effective upon signing of this Resolution, a Public Use Restriction on all unprotected wildlands within unincorporated Deschutes County, and all lands owned by Deschutes County, is in effect through October 15, 2022 or unless otherwise rescinded.

Section 3. The restrictions imposed by these Public Use Restrictions are listed on Exhibit 1, attached to this Resolution and incorporated herein.

Section 4. Violations of these Public Use Restrictions imposed by this Resolution shall be prosecuted as civil matters, as permitted by law, and may subject violators to civil damages and/or injunctive process.

Section 5. Any members of the public who are in violation of these Public Use Restrictions while present on county owned lands are deemed to be trespassing and are subject to criminal prosecution, as permitted by law.

BOARD OF COUNTY COMMISSIONERS

Dated this _____ of _____, 20__

PATTI ADAIR, CHAIR

ANTHONY DEBONE, VICE-CHAIR

PHIL CHANG, COMMISSIONER

ATTEST:

Recording Secretary