

## ORDINANCE NO. 745

### AN EMERGENCY ORDINANCE TO ESTABLISH TEMPORARY FIRE RESTRICTIONS WITHIN THE TOWN OF MILLS AND DECLARING AN EMERGENCY

**WHEREAS**, the Fire Chief of the Town of Mills Wyoming has recommended a partial fire closure in Mills, Wyoming due to weather conditions and an emergent situation; and

**WHEREAS**, the Town of Mills is authorized by WS 15-1-103(xxiii) to establish regulations for the prevention of and extinguishing of fires; and

**WHEREAS**, the Town of Mills is authorized by WS 15-1-103(xxviii) to regulate or prevent the storage, use and transportation of any combustible or explosive material within the corporate limits of the Town of Mills, Wyoming; and

**WHEREAS**, the Town of Mills recognizes the acts undertaken by the Natrona County Fire District, Casper Mountain Fire District and the Bureau of Land Management as advisable, and

**WHEREAS**, passage of this Emergency Ordinance is necessary to protect the public health, safety and welfare.

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF MILLS, WYOMING:**

#### **Section 1:**

Effective immediately, the open burning and fire related activities on all public and private lands in the Town of Mills, is hereby placed under restriction as follows:

1. The building, maintaining, attending or using any open fire is prohibited in the Town of Mills except as follows:
  - a. Fires used in industrial or agricultural operations; and
  - b. Gas and charcoal grills.
2. No smoking or disposal of any lighted match, cigar, or cigarette or other burning substance except within an enclosed vehicle or building, a developed recreation site or while stopped in an area of at least three feet in diameter that is barren or cleared of all flammable material.
3. Discharging and detonation of fireworks is prohibited.
4. No acetylene cutting torches or electric arc welding devices shall be used except indoors or in outdoor areas devoid of all vegetation.
5. No operation of chainsaws without spark arresters and either one 2/1/2lb or larger dry chemical fire extinguisher or an adequate supply of water and a shovel in case of fire. These fire tools may be kept with the operator's gas supply but must be available in the immediate vicinity of the chainsaw operations.
6. Additional restrictions on allowed uses, in particular areas, may be imposed due to adverse weather, range and fuel conditions (i.e., Red Flag Days) at the discretion and advice of the Fire Chief of the Town of Mills.

#### **Section 2**

This Emergency Ordinance shall become effective immediately and shall remain in effect until December 31, 2020 or upon the determination by the Fire Chief of the Town of Mills that the conditions giving rise to the conditions making this Ordinance necessary have expired. Should the Fire Chief determine that the conditions making this Ordinance necessary have expired, he shall accordingly inform the Mayor of the same who will take such steps as are necessary to make the expiration of this Ordinance known.

#### **Section 3:**

Pursuant to WS 15-1-115, or an Emergency Ordinance, the requirements relating to public readings and then (10) day elapse between introduction and passage may be suspended by the affirmative vote of three-fourths of the qualified members of the governing body; and pursuant to WS 15-1-115(d) the passage of an Emergency Ordinance requires the affirmative vote of three-fourths of the qualified members of the governing body.

**Section 4:**

Pursuant to WS 15-1-105(a)(iii), and Emergency Ordinance means an Ordinance operating for the immediate preservation of the public peace, safety or welfare, in which the emergency is defined.

**Section 5:**

For the reasons set forth above the Council finds and declares that an emergency exists; that this Ordinance is for the immediate preservation of the public peace, health, safety and welfare and that it shall be in full force and effect immediately upon its approval

**PASSED ON FIRST AND FINAL READING ON the \_\_\_\_ DAY of \_\_\_\_\_, 2020.**

\_\_\_\_\_  
Seth Coleman, Mayor

\_\_\_\_\_  
Sara McCarthy, Council

\_\_\_\_\_  
Darla R. Ives, Council

\_\_\_\_\_  
James Hollander, Council

\_\_\_\_\_  
Ronald Wales, Council

ATTESTED:

\_\_\_\_\_  
Christine Trumbull, Town Clerk