Declaration Order No. 2024 - 02

FILED

SEP 18 2024

Diane Stutsman

CLERK OWEN CIRCUIT COURT

DECLARATION OF A LOCAL DISASTER EMERGENCY

WHEREAS, Indiana Code 36-2-2-2 establishes The Board of Commissioners of the County of Owen as the County Executive;

WHEREAS, Indiana Code 10-14-3-29(a)(1) authorizes the principal executive officer of The Board of Commissioners of the County of Owen to declare a local disaster emergency;

WHEREAS, the undersigned is the President of The Board of Commissioners of the County of Owen;

WHEREAS, Indiana Code 10-14-3-1(a) defines "disaster" as an occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural phenomenon or human act and the term includes fire (b)(1), windstorm (b)(4) and drought (b)(12); and,

WHEREAS, current conditions of a dry atmosphere, drought, and gusty winds enhance the danger of fire in Owen County;

NOW, THEREFORE, under the authority vested in me as President of the Board of Commissioners of the County of Owen, Indiana, **IT IS HEREBY DECLARED THAT:**

1. As of September 18, 2024, a local disaster emergency exists in the County of Owen, Indiana, due to the current enhanced risk of fire.

2. Pursuant to I.C. 10-13-3-29(b) the activation of the response and recovery aspects of all applicable local or jurisdictional disaster emergency plans and authorization of the furnishing of aid and assistance under the plans is hereby ordered.

3 Open burning of any kind is banned in Owen County.

4. No person shall set, start or attempt to set or allow to continue an open fire within Owen County unless they have first obtained, and has in their possession, written authorization from the commanding officer of the fire department having primary jurisdiction over the area where the open fire is being conducted. The authorization may be issued by the chief of that fire department or by their appointed representative. Such an authorization shall be subject to revocation by the President of The Board of Commissioners of the County of Owen without prior notice, but written notice of such revocation shall be delivered to the holder forthwith. In the event authorization is denied or revoked, that decision may be appealed to The Board of Commissioners of the County of Owen.

5. This declaration will remain in effect for seven (7) days unless consent to its extension is given by The Board of Commissioners of the County of Owen and it is in fact extended by further executive order or by resolution of The Board of Commissioners of the County of Owen; or, terminated by the President of The Board of Commissioners of the County of Owen.

6. This declaration is being filed with the clerk of the Owen County Board of Commissioners in conformity with Indiana Code 10-14-3-29(a).

7. Anyone who violates the ban could be cited and fined or subject to criminal charges should a fire result in personal or property and damage.

DECLARED by President of The Board of Commissioners of the County of Owen, State of Indiana this 18th day of September, 2024.

PRESIDENT OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF OWEN:

Gary Burton