

RESOLUTION

of the

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

regarding

FIRE RESCUE DEPARTMENT OPEN AND PRESCRIBED BURN PERMIT AUTHORIZATION AND FEES

Resolution No. 2000-M-01

WHEREAS, prescribed burning is a critical resource management tool that when properly administered, protects public safety, and enriches property aesthetics; and

WHEREAS, much of the ecosystem in Orange County is fire-dependent for its vitality; and

WHEREAS, prescribed burning reduces accumulated fuels and consequently lessens the likelihood and severity of uncontrolled and damaging wild fires; and

WHEREAS, the Florida Legislature enacted Section 590.026, Florida Statutes, which recognized the benefits of prescribed burning; and

WHEREAS, the impacts upon surrounding land uses may be minimized through the availability of smoke management zones and the implementation of relevant building construction codes and adequate landscape buffers for those uses which are within or adjacent to natural vegetative communities; and

WHEREAS, Chapter 62-256, Florida Administrative Code which governs open burning in unincorporated Orange County requires that prior to conducting prescribed burning, proper permits and authorization shall be obtained from the Florida Division of Forestry, Department of Agriculture and Consumer Services. Open burning for land clearing purposes in unincorporated Orange County in accordance with Chapter 62-256, requires proper permits and authorization from the Orange County Fire Rescue Department.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:

1. Orange County recognizes the use of prescribed burning as a management tool to reduce fuel loads; and
2. Orange County encourages the establishment or expansion of environmental and public education programs to assist in the general acceptance and understanding of the benefits and usefulness of prescribed burning to reduce fuel loads; and
3. Orange County recognizes the concept of smoke management zones; building construction codes and landscape buffers specifically designed for wildfire protection as enhancements to public safety and welfare.
4. The continued cooperative and coordinated management of prescribed burning to reduce fuel loading may be of benefit to the public safety and welfare of the citizens of Orange County and the State of Florida. In unincorporated Orange County prior to conducting a prescribed burn, proper permits and authorization shall be obtained from the Florida Division of Forestry, Department of Agriculture and Consumer Services. Open burning for land clearing in unincorporated Orange County in accordance with Chapter 62-256, requires permits and authorization from the Orange County Fire Rescue Department.
5. The Florida Department of Environmental Protection ("FDEP") has delegated to the Orange County Environmental Protection Division ("EPD") the duty and responsibility to administer certain functions as specified in the Specific Operating Agreement between FDEP and EPD. The EPD has the authority to prohibit prescribed burning authorized by the Florida Division of Forestry, Department of Agriculture and Consumer Services and/or the Orange County Fire Rescue Department.

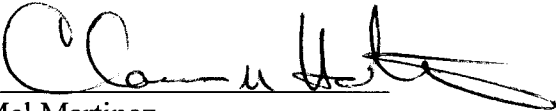
6. The Orange County Fire Rescue Department and/or EPD will handle all complaints and enforce Chapter 62-256, Florida Administrative Code, as it relates to any open burning. Orange County Fire Rescue Department response fees, as described herein below, may be assessed by the Orange County Fire Official for failure to obtain authorization and permits to conduct open burns for land clearing and/or open burns that are not in compliance with Chapter 62-256, Florida Administrative Code.

7. The Orange County Fire Official and the EPD shall be vested with authority to establish reasonable policies and procedures regarding the enforcement of this resolution. OCFRD fees may be assessed upon the first response or any subsequent response to a site in violation of Chapter 62-256, Florida Administrative Code when such violation is of a nature requiring a Orange County Fire Rescue Department response.

8. The response fee shall be in the amount of \$100.00 for each response. Additionally, penalties may be assessed by the EPD in accordance with its guidelines.

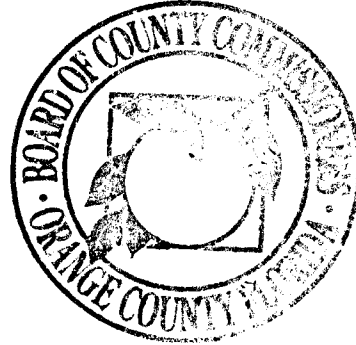
ADOPTED THIS 4TH DAY OF JANUARY, 2000.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: 
Mel Martinez
Orange County Chairman

ATTEST: Martha O. Haynie,
Orange County Comptroller, as Clerk of
the Board of County Commissioners

By: 
Deputy Clerk



JJN:vlp
vlp:ordres:fireburn