

RESOLUTION R-25-078

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, DECLARING A STATE OF EMERGENCY RELATIVE TO DROUGHT CONDITIONS AND BANNING THE USE OF FLARES, EXPLOSIVES, SPARKLERS AND OUTDOOR COOKERS OR GRILLS AND OTHERWISE LAWFUL OUTDOOR BURNING

WHEREAS, safeguarding the lives and property of its citizens is an innate responsibility of the governing body of each political subdivision of the state; and

WHEREAS, due to the hot, dry, parched, drought and windy conditions and the resultant threat of wildfires within Manatee County, emergency measures are required to protect the health, safety, welfare and property of Manatee County residents and visitors.

WHEREAS, pursuant to Ordinance 24-82, if the Director of Public Safety determines that there exists a disaster emergency and finds that a quorum of the Board of County Commissioners of Manatee County, Florida, (Board) cannot be attained within a reasonable time to take needed action, the authority to declare a state of local emergency is delegated to the Chairperson of the Board or, if the Chairperson of the Board is unavailable, then to the highest ranking Vice Chair of the Board that is available, or, if the Chairperson of the Board and all Vice-Chair are unavailable, then to the County Administrator; and

NOW THEREFORE, in accordance with the emergency powers vested in the County pursuant to Section 252.38, Florida Statutes, it is hereby ordered as follows:

1. A state of local emergency is hereby declared pursuant to Section 252.38(3)5., Florida Statutes.

2. During the state of local emergency, the use, ignition or discharge of (1) items containing any "explosive compound" as that term is defined in Section 791.01(3), F.S.; (2) items defined as "fireworks" in Section 791.01(4)(a), F.S.; (3) sparklers, as that term is defined in Section 791.01(8), F.S.; whether or not "approved by the division"; (4) any item or product using or containing any amount of pyrotechnic composition; (5) flares; (6) open burning; and (7) campfires shall be *prohibited throughout Manatee County during the period of local emergency* and any extensions(s) thereof. Except as provided below, the use of an outdoor cooker or grill for cooking is also prohibited during the state of local emergency. The following activities are *expressly permitted* during the state of local emergency:

- a. Use of outdoor cookers or grills as long as they are attended by a responsible adult at all times the unit is burning, cooking or otherwise in use;

- b. Any agricultural, silvicultural or land clearing burn that has been authorized by the Florida Forest Service and it is been determined that there will be sufficient fire suppression equipment and personnel on site;
- c. Properly permitted public fireworks displays with adequate fire suppression equipment and personnel on site; and
- d. Flares discharged over the Gulf.

3. As provided in Section 252.50, Florida Statutes, any person violating this order is guilty of a misdemeanor of the second degree, punishable as provided in Sections 775.082 or 775.083, Florida Statutes. Any violator shall, in addition to the penalties described above, reimburse Manatee County and any relevant Fire District for all costs and expenses incurred as a result of such violation, including without limitation, response and suppression costs.

4. This state of local emergency shall last until 11:59 PM., April 29, 2025, unless extended as allowed by law.

5. If any provision of this Resolution is invalidated by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions, which shall continue to have full force and effect.

6. This Resolution shall take effect immediately upon adoption.



**BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA**

By: _____

Chairperson

4/22/2025

ATTEST:
ANGELINA M. COLONNESO
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: Julissa Santana

Deputy Clerk