

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
CASCADE COUNTY, MONTANA**

**IN THE MATTER OF RESCINDING THE EMERGENCY  
ENACTION OF STAGE 1 FIRE RESTRICTIONS**

**RESOLUTION 21-80**

**WHEREAS** MCA 10-3-402 provides for the Presiding Officer (Chairman) of a county commission to unilaterally make an emergency declaration and MCA 2-3-112 provides that the requirements for public participation and notice do not apply to “an agency decision that must be made to deal with an emergency situation affecting the public health, welfare or safety;” and,

**WHEREAS**, on December 3<sup>rd</sup>, 2021, the rapidly deteriorating fire conditions due to low humidity, unusually high temperatures and extreme blowing and gusting winds across the county were significant contributing factors and have caused Cascade County’s Disaster and Emergency Services Director and the majority of the Rural Fire Chiefs to request Cascade County to move into stage 1 fire restrictions; and,

**WHEREAS**, all three commissioners concurred with the request of for the implementation of stage 1 fire restrictions; and,

**WHEREAS**, Commission Chairman Joe Briggs did authorize that Cascade County move into Stage 1 Fire Restrictions immediately as of December 3<sup>rd</sup>, 2021; and,

**WHEREAS**, the Board of Cascade County Commissioners on December 14<sup>th</sup>, 2021, did affirm and ratify the action taken by Chairman Briggs to enact and impose Stages 1 Fire Restrictions; and,

**WHEREAS**, fire conditions have now changed substantially and the majority of our partner agencies and rural Fire chiefs concur that the stage 1 fire restrictions are no longer warranted; and

**WHEREAS**, all three commissioners concur that the emergency conditions that existed to implement the stage 1 fire restrictions no longer exist; and,


**WHEREAS**, the Board of Cascade County Commissioners has been advised that the burn permit process is available to mitigate weather and wind conditions as may be warranted.

**NOW THEREFORE, BE IT RESOLVED** that by Cascade County Commission Chairman Joe Briggs, as the presiding officer of the Board of Cascade County Commissioners, declares, effective immediately, that Stage 1 Fire Restrictions are hereby rescinded.

**BE IT FURTHER RESOLVED**, the copies of this Emergency Declaration be filed with the County Clerk and Recorder and the Cascade County Disaster and Emergency Services Director.

Dated this 28<sup>th</sup> day of December 2021

BOARD OF COUNTY COMMISSIONERS  
CASCADE COUNTY, MONTANA

  
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Joe Briggs, Chairman