

EXECUTIVE ORDER 2024 – 01

DECLARATION OF LOCAL DISASTER EMERGENCY
BANNING OPEN BURNING

WHEREAS, the President of the Board of Tipton County Commissioners (hereafter “Commissioners”), as the principal executive officer of Tipton County, Indiana (hereafter “County”), is authorized to declare a local disaster emergency, pursuant to Indiana code (“IC”) section 10-14-3-29; and Chapter 36 of the Tipton County Code of Ordinances; and,

WHEREAS, the County Code of Ordinances in Chapter 36 provides for the implementation and the procedures associated with declaration of local disaster emergencies; and,

WHEREAS, the lack of rain in the County and surrounding areas, and the expectation of little or no rain predicted for the immediate future, necessitates the declaration of a local disaster emergency or banning open burning in the County due to drought; and,

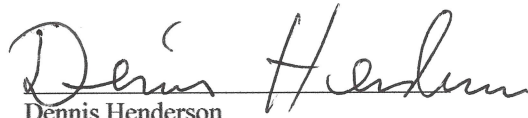
WHEREAS, the County is currently threatened by wildfires and any declaration should apply to the entire County.

NOW THEREFORE, Dennis Henderson, as President of the Board of Commissioners of Tipton County, Indiana, now declares a local disaster emergency and makes and imposes the following orders, rules, and regulations, restricting open burning in all of Tipton County, Indiana.

1. “Open Burning” means burning with the use of conventional fuels such as wood, brush, paper, debris, or other combustible materials, under such conditions that the products of combustion are emitted directly into the surrounding air and are not conducted into the air via a stack, chimney, duct or pipe. The term includes but is not limited to aboveground or underground smoldering fires, the throwing of matches, ashes, or burning material from a vehicle, campfires, and other recreational fires, burning barrels, vegetation debris, construction debris, or any other form of burning of combustible material in the open air.
2. A. Open Burning is prohibited in Tipton County, Indiana.
B. Exceptions:
 - i. Campfires or other recreational fires contained in a fire ring at least 23 inches in diameter and at least 10 inches high or higher, are permitted.
 - ii. Burning of charcoal briquettes, and wood, or propane in any confined grill designed for use with charcoal briquettes, hardwood, or propane, is permitted. Charcoal or hardwood shall not be removed from the grill until thoroughly extinguished.
 - iii. Burn barrels shall be completely covered with a metal mesh cover with grate openings no larger than one-half inch (½) inch and may be used only from dawn until dusk.
3. Penalties: any person who violates this order shall be subject to those penalties set forth in the Indiana Code and the Tipton County Code of Ordinances as follows:
 - A. a fine of up to \$2,500.00 per violation, or the maximum amount allowable by law for ordinance violations, with such a fine to be determined by the Tipton Circuit Court having jurisdiction over ordinance violations.
 - B. Reasonable attorney fees included by the County in the enforcement of this local disaster emergency declaration.


4. Pursuant to the Tipton County Code of Ordinances, Chapter 36, a regular or reserve police officer of the state or of any political subdivision is hereby empowered to issue and serve a civil citation against any person found to be committing a violation of this local disaster emergency declaration.
5. This order shall be effective immediately when signed and shall continue for a period of seven (7) days from the date and time of the order unless extended by or with consent of the Commissioners, meeting in regular or special session.
6. The Tipton County Auditor shall cause this declaration to be announced and distributed to the general public by the best means available, including publication on the County's website, other media outlets, posting a copy in a usual place of information within the County Courthouse, filing a copy of this order with the County Clerk, the County Auditor, and the clerk of any incorporated municipality located within Tipton County.

All of which is declared and ordered this 20th day of September 2024 at the hour of 1 o'clock
a.m./p.m.



Dennis Henderson
President, Tipton County Board of
Commissioners

ATTEST:


Jon DeBaun
Tipton County Auditor

Prepared by:

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I have taken reasonable care to redact each social security number in this document, unless required by law.
Mark R. Regnier