

ST. JOHNS COUNTY EMERGENCY ORDER 2017- 1

AN EMERGENCY ORDER PROHIBITING THE USE OR DISCHARGE OF FIREWORKS, AND THE USE OF FLARES, EXPLOSIVES, SPARKLERS AND OUTDOOR BURNING DEVICES, AND OTHERWISE LAWFUL OUTDOOR BURNING WITHIN ST. JOHNS COUNTY, FLORIDA.

WHEREAS, a state of local emergency has been declared, pursuant to Chapter 252, Florida Statutes, and St. Johns County Ordinance 94-25, as previously amended, because of the severe threat of fire to the lives and the property of residents of St. Johns County, Florida; and

WHEREAS, due to weather conditions including lack of substantial rainfall, high temperatures, worsening drought, and systems with significant wind, which have considerably enhanced the potential for and spread of wildfires within St. Johns County, further measures are required to protect St. Johns County citizens, and visitors, and to protect their health, safety, welfare and property; and

WHEREAS, the occurrence or threat of an emergency due to such conditions and fires is imminent and requires immediate and expeditious action.

NOW THEREFORE, in accordance with the emergency power vested in the County pursuant to Chapter 252, Florida Statutes, and the authority vested in the County Administrator pursuant to Section 8 of St. Johns County Ordinance 1994-25, as amended, it is hereby ordered:

1. During the state of local emergency, the use or discharge of the following is prohibited within the unincorporated areas of St. Johns County and within any municipality within St. Johns County that does not take specific, formal action to declare that such municipality exercises its option (hereby granted by this Order) to exclude such municipality from the effect of this Order during the local state of emergency and any extension thereof:

- a.** Fireworks (as defined in Florida Statute 791.01);
- b.** Sparklers approved by the Division of State Fire Marshal pursuant to Florida Statute 791.013 (and any other sparklers);
- c.** Trick noisemakers and other items listed in Florida Statute 791.01(4)(c) using explosives or combustible compounds (excluding auto burglar alarms used for their intended use);
- d.** Flares and the use of outdoor burning devices;
- e.** Campfires or outdoor cooking fires, except those campfires located within a metal fire ring located within a state park or licensed campground, or cooking fires within a barbeque grill, hibachi or other similar device specifically intended for cooking; and
- f.** Any other outdoor burning, such as lawn, debris, or trash burning.

2. Notwithstanding any other provision of this Order, the Fire Marshal of St. Johns County or the Fire Marshal of any municipality within St. Johns County may, for good cause in the public interest, authorize and put into effect an exception to the prohibitions imposed by this Order, only for a particular activity determined by such authority by duly authorized writing to be reasonably safe for private persons and the public. Furthermore, the Fire Marshal of St. Johns County or the Fire Marshal of any Municipality may authorize specifically or generally any burning authorized by the Florida Forest Service.

3. Nothing herein shall be deemed to prohibit the following:

- a. Burning permitted by the Florida Forest Service as authorized by applicable law;
- b. The smoking of tobacco products; or
- c. The use of a gas or charcoal grill for the exclusive purpose of cooking food.

4. Any person who violates any provision of this order is guilty of a misdemeanor of the second degree, punishable as provided in Florida Statute 775.082 or Florida Statute 775.083.

DONE and ORDERED this 9 day of May, 2017.

COUNTY ADMINISTRATOR OF
ST. JOHNS COUNTY, FLORIDA

By: 
Michael D. Wanchick

ATTEST: Hunter S. Conrad, Clerk

By: Pam Halterman

Deputy Clerk

