

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 19-01-08-06

**IN THE MATTER OF GRANTING
AUTHORITY PURSUANT TO ORS 476.280
TO EXTINGUISH UNCONTROLLED FIRES
IN UNINCORPORATED LANE COUNTY**

WHEREAS, the Board of Commissioners directed staff to work on a plan to deal with a variety of emergency situations including uncontrolled fires in unincorporated areas of Lane County that are not covered by existing fire protection districts; and,

WHEREAS, the Board of Commissioners passed Board Order 17-01-10-05, additional language was added to Order No. 17-06-13-05 covering the cost of extinguishing fires should be included in such an order; and,

WHEREAS, the Oregon Fire Service Mobilization Plan (2017) outlines a policy for fire service in responding to fires on unprotected lands that stipulates that the district providing the service may bill the property owner using the standardized cost schedule approved by the state fire marshal adopted by reference in OAR 837, Division 130, State Fire Marshal Standardized Cost Schedule; and

WHEREAS, the Board of Commissioners has adopted a Strategic Plan that identifies three priorities for Lane County for 2014 - 2017: (1) Safe and Healthy County, (2) Vibrant Communities, and (3) Infrastructure; and,

WHEREAS, the Lane County Strategic Plan states that, Priority 1, Objective 1 is to ensure safety throughout Lane County; and,

WHEREAS, ORS 476.280 authorizes the governing body of any duly organized body to extinguish any uncontrolled fire found to be burning in an unprotected area; and,

WHEREAS, The Board of Commissioners of Lane County has jurisdiction over unincorporated areas of Lane County that are not covered by existing fire protection districts as shown in more detail on Attachment "A", which is by this reference incorporated herein; and

NOW, THEREFORE, the Board of County Commissioners of Lane County **ORDERS** as follows:

1. The fire chief, or representative of the fire chief, of any duly organized municipal or rural fire protection district may extinguish any uncontrolled fire found to be burning in any unprotected and unincorporated area of Lane County if:
 - a. The governing body of the city or district board of the rural fire district, as the case may be, has authorized the fire chief and the representative of the fire

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chief to extinguish uncontrolled fires that are found to be burning in unprotected and unincorporated Lane County situation outside the boundaries of the city or district are causing or may cause undue jeopardy to life or property; and

- b. The fire chief or the representative of the fire chief believes that such fire is causing or may cause undue jeopardy to life or property.
2. This Order shall be reviewed annually by the Board or, reviewed sooner by the Board if substantive changes need to be made. Failure to review this Order does not affect its continuing validity.

ADOPTED this 8th day of January, 2019.



Chair
Lane County Board of Commissioners

APPROVED AS TO FORM

Date

12/10/18

LANE COUNTY OFFICE OF LEGAL COUNSEL