

RESOLUTION R-26-089

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 RESTRICTING THE USE OF 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, the Director of the Manatee County Department of Public Safety ("Director") has determined that there exists a disaster emergency and the Director has verified and further finds that a physical quorum of the Board of County Commissioners of Manatee County ("Board") cannot be attained within a reasonable time to take needed action and that the Chair and First Vice-Chair of the Board are unavailable.

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 for all territory within the legal boundaries of Manatee County, including all unincorporated and incorporated areas, is hereby immediately declared pursuant to Section 252.38(3), 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 extension(s) thereof. Notwithstanding the foregoing, 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. Use of liquefied petroleum gas devices such as grills, camp stoves, fire pits, or other devices that solely burn liquefied petroleum gas, natural gas, butane, naphthalene or other liquid fuel as long as they are attended by a responsible adult at all times;

- c. Any agricultural, silvicultural or land clearing burn that has been lawfully authorized by the Florida Forest Service and it has been determined that there will be sufficient fire suppression equipment and personnel on site;
- d. Properly permitted public fireworks displays approved by the State Fire Marshall or other authority having jurisdiction, with adequate fire suppression equipment and personnel on site; and
- e. Discharging flares over the Gulf in accordance with applicable Federal and State law.

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 responding fire control district or agency for all reasonable and documented 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, June 30, 2026, 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 is executed by the highest-ranking vice-chair available pursuant to the authority delegated in Manatee County's Disaster Emergency Management Powers Ordinance, codified as Article II, Chapter 2-13 of the Manatee County Code of Ordinances, and as amended by Ordinance 24-82, adopted August 27, 2024, to declare a state of local emergency and to issue emergency orders necessary to protect the public health, safety, and welfare during the disaster emergency.

7. This Resolution shall take effect immediately upon signing.

MANATEE COUNTY, a political
subdivision of the State of Florida

By: Board of County Commissioners

By: 

Commissioner George Kruse
Second Vice-Chair

STATE OF FLORIDA
COUNTY OF MANATEE

Sworn to (or affirmed) and subscribed before me, a Notary Public, by means of

- physical presence or
- online notarization

this 23 day of June, 2026, by GEORGE KRUSE, who

- is personally known to me or
- has produced _____ as identification.

[CHECK APPLICABLE BOXES TO SATISFY IDENTIFICATION REQUIREMENT OF SECTION 117.05, FLORIDA STATUTES]

Patricia A Nolan
Signature of Notary Public

My Commission Expires: May 30, 2028

(Legibly print, type, or stamp commissioned name of Notary Public and affix official notary seal below.)

