

**A STATE OF EMERGENCY ORDER PERTAINING TO A BAN
ON THE USE OF FLARES, EXPLOSIVES, OR OUTDOOR
BURNING DEVICES OR OTHERWISE LAWFUL OUTDOOR
BURNING**

WHEREAS, a state of local emergency is hereby declared, pursuant to Chapter 252, Florida Statutes, because of the severe threat of fire to lives and property of residents of Marion County Florida; and

WHEREAS, the state of local emergency in accordance with Florida Statute 252.38 shall last until 5:00 P.M., April 27, 2026, unless extended as allowed by law; and

WHEREAS, that due to the hot, dry, parched, windy conditions which continue to cause, exacerbate, and threaten wildfires within Marion County, further measures are required to protect Marion County citizens and visitors, and to otherwise protect their health, safety, welfare and property;

NOW THEREFORE, in accordance with the emergency power vested in the County pursuant to Chapter 252, Florida Statutes, it is hereby ordered that, during the state of local emergency, the sale, dispensing, use or discharge of (1) items listed in Florida Statute 791.01(4)(c) using explosive or combustible compounds (excluding auto burglar alarms used for their intended use, (2) flares; and the use of outdoor burning devices, campfires, burning of yard debris, or warming fires shall be prohibited throughout Marion County during the period of local emergency and any extension(s) thereof with the following exceptions:

- a. Attended and monitored barbeque/cooking equipment in an approved commercial container for the cooking of food exclusively within a contained gas or charcoal grill by a responsible adult.
- b. The countywide, mandatory Burn Ban prohibits all outdoor burning that has not been specifically permitted by the Florida Forest Service. Bonfires, campfires, and the burning of vegetative (yard) debris is not allowed during this ban.
- c. Public firework displays will be evaluated for approval on a case-by-case basis. These events may require additional fire suppression equipment, fire suppression personnel, and a fire inspector on site if approved. This is pursuant to the guidelines set forth in the Marion County Special Use Permit, Marion County Fire Rescue Fireworks Permit Application, and Marion County Resolution 20-R-140 establishing fees for standby services.

Any person violating the provisions of this Order may be subject to reimbursing the County for costs and expenses incurred as a result of such violation, including without limitation, response and suppression costs. The Fire Department will be responsible for calculating the hourly rate for personnel and apparatus and all other costs associated with extinguishing the illegal burn, for every hour or fraction thereof and for billing the responsible party or parties to recover the cost of such

response, if determined applicable by the Fire Chief. The payment of such costs shall be in addition to any fines or penalties imposed.

If any provision of the Order is invalidated by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions of the Order, which shall continue to have the full force and effect of law.

This order shall remain in effect during the Forest and Brush Fire Emergency unless earlier modified or rescinded.

The state of local emergency may be modified in whole or in part, extended, or may be terminated upon the joint recommendation of the Marion County Fire Chief and the County Administrator, by action of the Chairman of the Board of County Commissioners, with ratifications by the Board of County Commissioners as soon as is practical at a regular or special meeting.

Any person violating this order is guilty of a misdemeanor of the second degree, punishable as provided in sections 775.081, 775.082 or 775.083 Florida Statutes.

DONE and ORDERED THIS 20th day of April, 2026.

**BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA**

for 

CARL ZALAK III, CHAIRMAN