

**RESOLUTION NO. 2026-\_\_\_\_\_**

**WHEREAS**, Polk County has experienced dry weather conditions for an extensive period of time because of the lack of rainfall; and

**WHEREAS**, over fifty percent of (50%) of Polk County is averaging over 500 on the Keetch-Byram Drought Index; and

**WHEREAS**, the current atmospheric condition increases the risk of brush fires and uncontrolled fires throughout Polk County; and

**WHEREAS**, the increase in the risk of brush fires and uncontrolled fires are a threat to the public health, safety and general welfare of Polk County; and

**WHEREAS**, there are no sight of abatement of these dangerous fire conditions in the near future; and

**WHEREAS**, on May 6, 2026, pursuant to Ordinance 08-015, as amended, the Fire Chief declared Fire Department Burn Ban 26-01, as amended,<sup>1</sup> which was filed with the Clerk of Courts and published on the County's Website on May 6, 2026, and

**WHEREAS**, such Fire Department Burn Ban must be approved by resolution at the next regular meeting of the Board of County Commissioners.

**NOW, THEREFORE BE IT RESOLVED** by the Board of County Commissioners that Amended Fire Department Burn Ban 26-01, attached here to as Exhibit "A," is hereby approved.

**PASSED AND DULY ADOPTED BY THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS IN REGULAR SESSION THIS 19th DAY OF May 2026.**

ATTEST: Stacy M. Butterfield, Clerk

BY: \_\_\_\_\_  
Deputy Clerk

POLK COUNTY, FLORIDA  
Board of County Commissioners

BY: \_\_\_\_\_  
Martha Santiago, Ed. D., Chair

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<sup>1</sup> Fire Department Burn Ban 26-01 was amended to remove Lake Wales from the list of municipalities covered since it operates under its own burn ban ordinance.

**AMENDED DECLARATION OF FIRE DEPARTMENT BURN BAN NO. 26-01**

**WHEREAS**, Polk County has experienced dry weather conditions for an extended period of time because of the lack of rainfall;

**WHEREAS**, over fifty percent (50%) of Polk County is averaging over 500 on the Keetch-Byram Drought Index;

**WHEREAS**, Polk County Ordinance No. 08-015 authorizes the Fire Chief or the Fire Chief's Designee to declare a Fire Department Burn Ban during periods in which the atmospheric conditions increase risk in brush fires and uncontrolled fires;

**WHEREAS**, the current atmospheric conditions increase the risk of bush fires and uncontrolled fires throughout Polk County;

**WHEREAS**, the increase in risk of brush fires and uncontrolled fires are a threat to the public health, safety and general welfare of Polk County; and

**WHEREAS**, there are no signs of abatement of these dangerous fire conditions in the near future.

**NOW THEREFORE, BE IT DECLARED BY THE POLK COUNTY FIRE CHIEF:**

PURSUANT TO THE AUTHORITY OF POLK COUNTY ORDINANCE No. 08-015, AS AMENDED, A FIRE DEPARTMENT BURN BAN IS HEREBY DECLARED WITHIN THE UNINCORPORATED AREAS OF POLK COUNTY AND THE FOLLOWING MUNICIPALITIES: AUBURNDALE, BARTOW, DAVENPORT, DUNDEE, FORT MEADE, FROSTPROOF, HAINES CITY, LAKE ALFRED, LAKELAND, AND WINTER HAVEN.<sup>1</sup> THIS DECLARATION SHALL PROHIBIT ALL OPEN AND RECREATIONAL FIRES UNLESS AUTHORIZED BY THE FLORIDA FOREST SERVICE.

OPEN AND RECREATIONAL FIRES HEREBY INCLUDE, WITHOUT LIMITATION:

1. Campfires;
2. Bonfires;
3. Unpermitted controlled burns;
4. Burning of yard and household trash;
5. Burning of organic debris;
6. Igniting of fireworks; and

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<sup>1</sup> This Declaration is amended to remove Lake Wales from the list of covered municipalities since it operates under its own burn ban ordinance.

7. Noncommercial burning of material, other than for religious or ceremonial purposes, which is not contained in a barbecue grill or barbecue pit and the total fuel area exceeds 3ft in diameter and 2ft in height.

The Fire Marshal upon request by a property owner may approve open fires for agricultural purposes for a specific location and time period. The Fire Marshal may impose necessary conditions on such open fires to minimize the risk of brush fires and uncontrolled fires.

This Burn Ban shall not prohibit burning permitted by the Florida Forest Service or firework displays approved by the Authority Having Jurisdiction.

FURTHERMORE, PURSUANT TO THE AUTHORITY OF POLK COUNTY ORDINANCE NO. 08-015, AS AMENDED, ANY PERSON WHO REFUSES TO COMPLY OR VIOLATES THIS BURN BAN SHALL BE IN VIOLATION OF POLK COUNTY ORDINANCE NO. 08-015, AS AMENDED, AND SHALL BE PUNISHED ACCORDING TO LAW, AND UPON SUCH CONVICTION FOR SUCH OFFENSE, SHALL BE PUNISHED BY A FINE NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00) OR BY IMPRISONMENT BY A TERM NOT TO EXCEED SIXTY (60) DAYS IN THE COUNTY JAIL OR BOTH.

DATED this 6 day of May 2026.

ATTEST:

STACY M. BUTTERFIELD, CLERK

By: Alison Brown  
Deputy Clerk

POLK COUNTY FIRE CHIEF

By: Shawn Smith  
Shawn Smith, Fire Chief

