

# Declaration of State of Emergency

A State of Emergency is hereby declared in the Town of Gardiner, effective at 3:00 p.m. on August 24, 2022.

The State of Emergency has been declared due to drought conditions, which have imperiled the Town's water supply and have increased the risk of wildfires.

Such conditions threaten or imperil the public safety of the citizens of the Town of Gardiner.

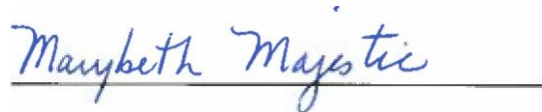
This State of Emergency will remain in effect until 3:00 p.m. on September 23, 2022.

As the Chief Executive of the Town of Gardiner, Ulster County, State of New York, I Marybeth Majestic, exercise the authority given me under Section 24 of the New York State Executive Law, to preserve the public safety and hereby render all required and available assistance vital to the security, well-being, and health of the citizens of this Municipality.

I hereby direct all departments and agencies of the Town of Gardiner to take whatever steps necessary to protect life and property, public infrastructure, and provide such emergency assistance deemed necessary.

DATED: August 24, 2022

Gardiner, NY

A handwritten signature in blue ink that reads "Marybeth Majestic". The signature is written in a cursive style and is positioned above a horizontal line.

Marybeth Majestic, Supervisor

cc; Michelle L. Mosher, Town Clerk  
Nina Postupack, Ulster County Clerk  
Paul Kellar, Town Attorney  
Town of Gardiner website  
Times Herald Record

TOWN OF GARDINER EMERGENCY ORDER NO. 2022-01

AN ORDER AND DECLARATION FOR A BURN BAN FOR  
ALL OF THE TOWN OF GARDINER UNDER LOCAL STATE  
OF EMERGENCY

WHEREAS, the Town of Gardiner Supervisor and the Town of Gardiner Town Board hereby find that circumstances present within the Town of Gardiner create a public safety hazard that would be exacerbated by outdoor burning; and

WHEREAS, the Town of Gardiner Supervisor heretofore has declared a State of Emergency effective August 24, 2022 at 3:00 p.m., declaring that a state of emergency exists throughout the Town of Gardiner due to severe drought conditions and the threat of wildfires caused by outdoor burning, and its imminent threat to the health and welfare of Town of Gardiner citizens; and

WHEREAS, the Executive Order, in accordance with Section 24 of the New York State Executive Law, authorized political subdivisions to take whatever prudent action that is necessary to ensure the health, safety, and welfare of the community; and

WHEREAS, Section 24 of the New York State Executive Law authorizes political subdivisions to take all necessary action and issue any necessary orders to protect human life; and

WHEREAS, August 24, 2022 the Town Supervisor of the Town of Gardiner issued a Declaration of Local State of Emergency regarding the severe drought conditions; and

NOW, THEREFORE, it is ORDERED that outdoor burning is prohibited in all of the Town of Gardiner as follows:

1. Actions prohibited:

a. A person violates this order if he/she burns any combustible material in an outdoor area.

b. A person violates this order if he/she engages in any outdoor activity which could allow flames or sparks that could result in a fire.

2. Enforcement

a. Upon notification of suspected outdoor burning the local volunteer fire companies shall respond to the scene and take immediate measures to contain and/or extinguish the fire.

b. As soon as possible, law enforcement agencies shall respond to the scene to investigate the nature of the fire. The law enforcement officers shall request immediate compliance with this order.

3. This order does not apply to the following outdoor burning activities:

a. Firefighting training

b. Burn operations approved by the New York State Department of Environmental Conservation

All outdoor burning of yard trash, household paper products, bonfires, campfires, warming fires, outdoor fireplaces, chimneys and cooking fires within said jurisdictions is prohibited unless:

- 1) Authorized by the New York State Department of Environmental Conservation;
- 2) for cooking of food exclusively within a contained gas or charcoal grill.

The setting of fires to any grass, brush or forest covered land, unless authorized by the New York State Department of Environmental Conservation, shall constitute a violation of the law.

BE IT FURTHER ORDERED, that the purpose of this order is the mitigation of the public safety hazard posed by wildfires during the current dry weather conditions and the limited first responders and human resources to combat potential fires during COVID-19 pandemic by curtailing the practice of outdoor burning, accordingly, this order shall expire when conditions are again deemed safe, upon such date as determined by the Town of Gardiner Town Board in conjunction with the New York State Department of Environmental Conservation.

**Done and Ordered this 24<sup>th</sup> day of August, 2022**

*Marybeth Majestic*

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Hon. Marybeth Majestic, Town Supervisor