

ORDINANCE NO. 25-26-07

AN ORDINANCE OF HIGHLANDS COUNTY, FLORIDA, PERTAINING TO THE EXTENSION OF THE BURN BAN DECLARED UNDER HIGHLANDS COUNTY ORDINANCE NO.: 25-26-06; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR EXTENSION OF BURN BAN; PROVIDING FOR AUTOMATIC SUNSET, CANCELLATION AND/OR EXTENSION OF BURN BAN; PROVIDING FOR IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR NON-CODIFICATION AND SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to the Florida Constitution, Article VIII, Section 1 and Florida Statutes, Section 125.01, a County possesses the authority to conduct County government and, among other matters, the prerogative to adopt ordinances necessary to exercise of its powers and to prescribe penalties for violations of such ordinances; and

WHEREAS, on January 6, 2026, the County adopted Ordinance No.: 25-26-06, which declared a burn ban in Highlands County through February 18, 2026; and

WHEREAS, the Florida Department of Agriculture and Consumer Services, Florida Forest Service, Sebring Forestry Station Area Supervisor has informed the Highlands County Fire Chief that a recent reading of the Keetch Byran Drought Index (KBDI), which is used for estimating dryness of soil and duff layers, rates Highlands County as exceeding 500 on a scale of 0 – 800; and

WHEREAS, drought conditions are conducive to wildfires; and

WHEREAS, hazardous weather and atmospheric surroundings point toward drought conditions into the foreseeable future in Highlands County; and

WHEREAS, wildfire risk increases each day without rain; thus, warranting the extension of the burn ban implemented by Ordinance No. 25-26-06; and

WHEREAS, Section 3, of Ordinance No.: 25-26-06, provides for extension of the burn ban by way of Ordinance amendment; and

WHEREAS, based on the information presented by the Florida Forest Service and the Highlands County Fire Chief, the County has determined that the extension of the burn ban is necessary in order to address the conditions in Highlands County.

NOW THEREFORE, BE IT ORDAINED by Highlands County, Florida, that:

SECTION 1. LEGISLATIVE FINDINGS AND INTENT. Highlands County has complied with all requirements and procedures of Florida law in processing this Ordinance. The above recitals are hereby adopted.

SECTION 2. EXTENSION OF BURN BAN AND AUTOMATIC SUNSET, CANCELLATION AND/OR EXTENSION OF BURN BAN.

A. The burn ban approved by Highlands County Ordinance No.: 25-26-06, is hereby extended to and including April 9, 2026, unless extended or terminated sooner in accordance herewith. B. After consultation with the Florida Forest Service and the Fire Chief determines that the burn ban can be lifted, the Fire Chief shall issue a formal notice of termination of the burn ban placed into effect pursuant to this Ordinance.

C. Prior to automatic sunset or termination of the burn ban by the Fire Chief, the burn ban may be extended by amendment to this Ordinance.

D. All provisions of Highlands County Ordinance No.: 25-26-06, not revised by this Ordinance shall remain in full force and effect.

SECTION 3. IMPLEMENTING ADMINISTRATIVE ACTIONS. The County Administrator is hereby authorized and directed to take such actions as are deemed necessary and appropriate in order to implement the provisions of this Ordinance. The County Administrator may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such County employees as deemed effectual and prudent.

SECTION 4. SAVINGS CLAUSE. All prior actions of Highlands County pertaining to this burn ban, as well as any and all matters relating thereto, are hereby ratified and affirmed consistent with the provisions of this Ordinance.

SECTION 5. NON-CODIFICATION AND SCRIVENER'S ERRORS. The provisions of this Ordinance shall not be codified in the Board of County Commissioners of Highlands County Code of Ordinances. Typographical errors and other matters of a similar nature that do not affect the intent of this Ordinance, as determined by the County Administrator and County Attorney, may be corrected.

SECTION 6. CONFLICTS. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed to the extent of the conflict.

SECTION 7. SEVERABILITY. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

SECTION 8. EFFECTIVE DATE. This Ordinance shall take effect immediately upon filing with the Department of State.

DONE AND ADOPTED this 17 day of February, 2026.



(SEAL)

BOARD OF COUNTY COMMISSIONERS
HIGHLANDS COUNTY, FLORIDA

By: Don Elwell
Don Elwell, Chairman

ATTEST

By: Jerome Kaszubowski
Jerome Kaszubowski, Clerk