

Declaration of State of Emergency

A State of Emergency is hereby declared in the Town of Rochester, effective at 12:01 am on August 23, 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 Rochester.

This State of Emergency will remain in effect until 12:01 am on September 22, 2022.

As the Chief Executive of the Town of Rochester Ulster County, State of New York, I **Michael Baden**, 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 Rochester to take whatever steps necessary to protect life and property, public infrastructure, and provide such emergency assistance deemed necessary.

DATED: August 22, 2022
Accord, New York



Michael Baden, Town of Rochester Supervisor

cc: Kathleen Gundberg, Town Clerk
Nina Postupack, Ulster County Clerk
MaryLou Christiana, Attorney for the Town
Richard Demorest, Accord Fire District Chief
Albert Davis, Code Enforcement Officer
Town of Rochester Web Site
Shawangunk Journal

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BY: *K Gundberg*

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, the Town of Rochester Constabulary or other 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 fire places, 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 Rochester Town Board in conjunction with the New York State Department of Environmental Conservation.

Done and Ordered this 22nd day of August, 2022



Michael Baden, Town of Rochester Supervisor

TOWN OF ROCHESTER EMERGENCY ORDER NO. 2022-01

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

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

WHEREAS, the Town of Rochester Supervisor heretofore has declared a State of Emergency effective August 23, 2022 at 12:01am, declaring that a state of emergency exists throughout the Town of Rochester 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 Rochester citizens; and

WHEREAS, the Executive Order, in accordance with Section 24 of the New York State Executive Law, authorizes 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 23, 2022, the Town Supervisor of the Town of Rochester 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 Rochester 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.