

## **IC 14-23-7**

### **Chapter 7. Emergency Fire Hazard Areas**

#### **IC 14-23-7-1**

##### **"Area" defined**

Sec. 1. As used in this chapter, "area" includes the state and the entirety or a part of a county, a township, a city, a town, or an unincorporated settlement that is in danger of fire as proclaimed under this chapter.

*As added by P.L.1-1995, SEC.16.*

#### **IC 14-23-7-2**

##### **Declaration of emergency fire hazard area**

Sec. 2. If the governor receives information from:

- (1) the director;
- (2) the county commissioners of a county; or
- (3) the executive of a city or town;

that because of drought conditions existing in an area the lives of the people, forests, fields, woodland, livestock, structures, or other property are endangered by a fire hazard, the governor may, in the interest of public health, safety, and welfare, after investigation, declare an area within Indiana as an emergency fire hazard area.

*As added by P.L.1-1995, SEC.16.*

#### **IC 14-23-7-3**

##### **Notice of proclamation**

Sec. 3. The designation of an emergency fire hazard area may be made at any time and becomes effective upon proclamation by the governor. Public notice of the proclamation shall be given by:

- (1) publication in at least one (1) newspaper of general circulation in the area affected; or
- (2) posting conspicuously in at least ten (10) public places within the area.

*As added by P.L.1-1995, SEC.16.*

#### **IC 14-23-7-4**

##### **Restrictions on hunting, fishing, and trapping seasons**

Sec. 4. For the purpose of this chapter, the governor may, upon proper information from the department, close, postpone, or abridge by proclamation the hunting, fishing, and trapping seasons for the duration of the emergency fire hazard in an area designated by the proclamation.

*As added by P.L.1-1995, SEC.16.*

#### **IC 14-23-7-5**

##### **Open burning prohibited**

Sec. 5. (a) As used in this section, "open burning" means burning under such conditions that the products of combustion are emitted directly into the surrounding air and are not conducted into the air through a stack, chimney, duct, or pipe. The term includes above

ground or underground smoldering fires.

(b) A person who:

(1) throws from a vehicle matches, ashes, or burning material;  
or

(2) conducts open burning;

during the period of a proclamation commits a Class C misdemeanor.

*As added by P.L.1-1995, SEC.16.*

#### **IC 14-23-7-6**

##### **Annulment of proclamation**

Sec. 6. If, after the issuing of a proclamation, the governor is satisfied that the occasion has passed for maintaining the proclamation, the governor may annul the proclamation with another proclamation.

*As added by P.L.1-1995, SEC.16.*