



**PROCLAMATION  
OPEN BURNING PROHIBITED**

ON **FEBRUARY 26, 2024**, THE OFFICE OF THE STATE FIRE MARSHAL RECEIVED A REQUEST PURSUANT TO IOWA CODE 100.40(1) (1995) FROM **DOUG REED**, REPRESENTING EACH FIRE DEPARTMENT HAVING ALL OR PART OF THEIR FIRE DISTRICT WITHIN **POTTAWATTAMIE COUNTY**, THAT THE STATE FIRE MARSHAL PROHIBIT OPEN BURNING IN **POTTAWATTAMIE COUNTY**. UPON INVESTIGATION THE FIRE MARSHAL FINDS THAT CONDITIONS IN **POTTAWATTAMIE COUNTY** ARE SUCH THAT OPEN BURNING CONSTITUTES A DANGER TO LIFE OR PROPERTY.

IT IS THEREFORE ORDERED THAT NO PERSON SHALL ENGAGE IN OPEN BURNING IN **POTTAWATTAMIE COUNTY**, EFFECTIVE **FEBRUARY 26, 2024 AT 9:30 AM** EXCEPT AS SPECIFICALLY PERMITTED BY IOWA CODE 100.40(3) UNTIL SUCH TIME AS **DOUG REED**, REPRESENTING EACH FIRE DEPARTMENT HAVING ALL OR PART OF THEIR FIRE DISTRICT WITHIN **POTTAWATTAMIE COUNTY**, NOTIFIES THE STATE FIRE MARSHAL THAT SUCH CONDITIONS DANGEROUS TO LIFE OR PROPERTY NO LONGER EXISTS.

NOTICE IS HEREBY GIVEN THAT PURSUANT TO IOWA CODE 100.40(2) ANY VIOLATION OF THIS PROCLAMATION ORDER IS A SIMPLE MISDEMEANOR.

Monday, February 26, 2024

Dan Wood

A handwritten signature in black ink that reads "Dan Wood".

STATE FIRE MARSHAL

cc: Sheriff's Department  
Dept. of Natural Resources  
Emergency Management

## **IOWA CODE SECTION 100.40**

*100.40 Marshal may prohibit open burning on request.*

- 1. The state fire marshal, during periods of extremely dry conditions or under other conditions when the state fire marshal finds open burning constitutes a danger to life or property, may prohibit open burning in an area of the state at the request of the chief of a local fire department, a city council or a board of supervisors and when an investigation supports the need for the prohibition. The state fire marshal shall implement the prohibition by issuing a proclamation to persons in the affected area. The chief of a local fire department, the city council or the board of supervisors that requested the prohibition may rescind the proclamation after notifying the state fire marshal of the intent to do so, when the chief, city council or board of supervisors finds that the conditions responsible for the issuance of the proclamation no longer exist.*
- 2. Violation of a prohibition issued under this section is a simple misdemeanor.*
- 3. A proclamation issued by the state fire marshal pursuant to this section shall not prohibit a supervised, controlled burn for which a permit has been issued by the fire chief of the fire district where the burn will take place, the use of outdoor fireplaces, barbecue grills, properly supervised landfills, or the burning of trash in incinerators or trash burners made of metal, concrete, masonry, or heavy one-inch wire mesh, with no openings greater than one square inch.*