



ADMINISTRATIVE RULES OF MONTANA



12.11.6603 EMERGENCY PUBLIC WATER CLOSURE CRITERIA

- (1) The department may, pursuant to ARM 12.11.6601, adopt temporary emergency rules under the following criteria.
 - (a) The department receives written request for closure of public waters from the interagency fire management team or similar authority that provides the description of where to implement the fire closure.
 - (b) The department determines that firefighting efforts on or near the water creates imminent peril to the public health, safety, or welfare.
 - (c) The department determines that dangerous conditions exist on or near the water that creates imminent peril to public health, safety, or welfare.
- (2) The department may reopen the waters by repealing a temporary emergency rule when it determines that firefighting efforts or dangerous conditions on or near the water have subsided to the extent that imminent peril to the public health, safety, and welfare no longer exists.

Authorizing statute(s): 87-1-303, MCA

Implementing statute(s): 2-4-303, 87-1-303, MCA

History: NEW, 2008 MAR p. 1317, Eff. 6/27/08; AMD, 2009 MAR p. 2146, Eff. 11/13/09.