RESOLUTION NO. 2017 - 47

BOARD OF COUNTY COMMISSIONERS

OF THE

COUNTY OF SUMMIT

STATE OF COLORADO

DECLARING A FIRE HAZARD EMERGENCY AND BANNING OPEN FIRES AND THE USE AND SALE OF FIREWORKS IN SUMMIT COUNTY

WHEREAS, pursuant to Summit County Resolution No. 2000-80, the Board of County Commissioners may hold such emergency meetings and adopt such procedure therefore as the public interest may, in the opinion of the board, require; and

WHEREAS, pursuant to §24-32-2109, C.R.S, §30-15-401(1)(n.5) and (n.7), C.R.S., Summit County Ordinance No. 14, and other applicable legal authority, the Board of County Commissioners of Summit County, Colorado has the authority to ban open fires and fireworks to a degree and in a manner it deems necessary to reduce the danger of wildfires within the unincorporated portions of the unincorporated areas of the County; and

WHEREAS, pursuant to § 30-10-512, 513, 513.5, C.R.S., and other applicable legal authority, the Sheriff of Summit County Colorado, acting in his capacity as the fire warden, has presented competent evidence that a high to extreme fire danger exists in Summit County; and

WHEREAS, the Sheriff has reported to the Board of County Commissioners on the existing Peak 2 Wildfire and recommends that the Board of County Commissioners take immediate action to declare a fire hazard emergency and ban open fires and the use of any fireworks in Summit; and

WHEREAS, the Sheriff reports that wildfire and forest management personnel concur with the Sheriff's opinion that an imminent threat of destructive wildfire exists in Summit County and that the Board of County Commissioners should take immediate action to declare a fire hazard emergency and ban open fires and the use of any fireworks in Summit County; and

WHEREAS, the Sheriff reports that the United States Forest Service intends to declare and implement a stage one type fire ban for all areas of the White River National Forest lying within Summit County, Colorado effective on midnight Thursday July 6, 2017; and

WHEREAS, the Board of County Commissioners finds, based upon the competent evidence presented by the Sheriff, including recent dry conditions and the occurrence of wildfires within Summit County and in other areas of the state, that a high fire danger exists in Summit County, Colorado; and

WHEREAS, the Board of County Commissioners find it necessary for the preservation of the public health, safety and welfare due to the high to extreme fire danger in Summit County and western region of the United States that it take immediate action to ban open fires and any use of fireworks in a manner and to the extent necessary to reduce the imminent threat of the occurrence of widespread destructive wildfires in Summit County, Colorado; and

WHEREAS, the Board of County Commissioners further finds that the currently existing Peak 2 wildfire, weather conditions and danger of wildfires pose an emergency situation demanding immediate action, which action cannot wait until the next regular meeting of the Board of County Commissioners and therefore an emergency meeting of the Board of County Commissioners under these circumstances is appropriate.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SUMMIT, STATE OF COLORADO that:

1. Open Fires, the use of fireworks and the sale of fireworks within Summit County are hereby banned effective immediately except for the following:

   A. Fires in the designated areas of those improved campgrounds listed in the attached Exhibit "A";
   B. Fires contained within liquid-fueled or gas fueled stoves;
   C. Fires in fireplaces or stoves within all buildings;
   D. Fires contained within chimneas;
   E. Charcoal fueled fires contained within grills;
   F. Charcoal fueled fires within permanent fire pits on privately owned property if:
      i. Such contained charcoal fire is under constant supervision;
      ii. Adequate fire suppression apparatus is available at the location of the contained charcoal fire;
      iii. Notice of the contained charcoal fire has been provided to the local fire district; and
      iv. Notice of the contained charcoal fire has been provided to the Summit County Sheriff's Office;
   G. Fires used to inflate and propel hot air balloons.

2. For purposes of this Resolution, an "Open Fire" shall be defined as any outdoor fire, including but not limited to campfires, warming fires, bonfires, or the prescribed burning of fence rows, fields, wildlands, trash and debris.

3. This Resolution shall be enforced by the Summit County Sheriff's Office and violations hereof shall be punished in accordance with the terms of Summit County Ordinance No. 14.

4. This Resolution is necessary for the preservation of the public health, safety and welfare due to the high to extreme fire danger in Summit County and western region of the United States and shall take effect immediately upon adoption and shall remain in effect until the next regular meeting of the Board of County Commissioners scheduled for Tuesday July 11, 2017

at 1:30 P.M., at which time the Board of County Commissioners may ratify this Resolution. If this Resolution is not ratified at the July 11, 2017 regular meeting of the Board of County Commissioners, then it shall be deemed rescinded.

ADOPTED this 5th day of July 2017.

COUNTY OF SUMMIT
STATE OF COLORADO
By and Through its
BOARD OF COUNTY
COMMISSIONERS

Karn Stiegelmeier, Chair

ATTEST:

Kathleen Neel, Clerk & Recorder

RATIFIED this ___th day of July 2017.

COUNTY OF SUMMIT
STATE OF COLORADO
By and Through its
BOARD OF COUNTY COMMISSIONERS

Karn Stiegelmeier, Chair

ATTEST:

Kathleen Neel, Clerk & Recorder

EXHIBIT A

IMPROVED CAMPGROUNDS EXEMPT FROM FIRE HAZARD EMERGENCY BANNING OF OPEN FIRES IN SUMMIT COUNTY

PINE COVE CAMPGROUND
PEAK ONE CAMPGROUND
HEATON BAY CAMPGROUND
PROSPECTOR CAMPGROUND
WINDY POINT CAMPGROUND
LOWRY CAMPGROUND
BLUE RIVER CAMPGROUND
PRAIRIE POINT CAMPGROUND
MCDONALD FLATS CAMPGROUND
CATARACT CAMPGROUND
DAVIS SPRINGS CAMPGROUND
WILLOWS CAMPGROUND
ELLIOT CREEK CAMPGROUND
NORTH COW CREEK CAMPGROUND
SOUTH COW CREEK CAMPGROUND