

RESOLUTION NO. 2018-35

**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 dry conditions of the forest in Summit County 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 or about midnight Tuesday June 12, 2018; 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 a wildfire within Summit County and in other areas of Colorado, 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

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 chimeneas;
 - 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. Pre-approved public fireworks displays;
 - H. 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. Smoking is prohibited, except in an enclosed vehicle or building, a developed recreation site, designated outdoor areas where smoking is permitted, or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable material.
4. Operation of a chainsaw is prohibited without a USDA or SAE approved spark arrester properly installed and in effective working order, a chemical pressurized fire extinguisher kept with the operator, and one round point shovel with an overall length of at least 35 inches readily available for use.
5. Welding or operating acetylene or other torch with open flame is prohibited outdoors, except in cleared areas of at least 10 feet in diameter and in possession of a chemical pressurized fire extinguisher.
6. Use of explosives is prohibited.

7. 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.
8. 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 amended or rescinded by subsequent resolution.

ADOPTED THIS 12TH DAY OF JUNE 2018



**COUNTY OF SUMMIT
STATE OF COLORADO
BY AND THROUGH ITS
BOARD OF COUNTY
COMMISSIONERS**

Dan Gibbs, Chair

ATTEST:

~~Kathleen Neel, Clerk & Recorder~~

Sarah Vigil, Deputy

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

