

**BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF HINSDALE, STATE OF COLORADO**

RESOLUTION NO. 10 SERIES 2018

A RESOLUTION RE-IMPLEMENTING STAGE ONE FIRE RESTRICTIONS

WHEREAS, pursuant to § 30-15-401(1)(n.5), C.R.S., the Board of County Commissioners of Hinsdale County, Colorado (“Board”) adopted Ordinance No., 1 Series 2012, An Ordinance Establishing a Permanent Process to Periodically Ban Open Fires Within Unincorporated Areas of Hinsdale County, Colorado, (“Ordinance No, 1 Series 2012”); and

WHEREAS, pursuant to Ordinance No.1 Series 2012, the Board has the authority at any meeting, by resolution, to ban open fires to a degree and in a manner that the Board deems necessary to reduce the danger of forest fires and/or grass fires within those portions of the unincorporated areas of Hinsdale County where the danger of forest or grass fires is found to be high based on competent evidence; and

WHEREAS, the Board implemented Stage One fire restrictions by and through the adoption of Hinsdale County Board of County Commissioner Resolution No. 6, Series 2018, on May 30, 2018; and

WHEREAS, due to worsening fire conditions, the Board implemented Stage Two fire restrictions by and through the adoption of Hinsdale County Board of County Commissioner Resolution No. 9, Series 2018, on July 2, 2018; and

WHEREAS, the Board has determined based on credible evidence and due to recent rain events that Stage Two fire restrictions are no longer necessary, but that the danger of forest and grass fires in all of unincorporated Hinsdale County remains high at this time and fire restrictions remain necessary and appropriate in all unincorporated Hinsdale County to reduce the danger of forest fires and grass fires in Hinsdale County, Colorado; and

WHEREAS, this Resolution is necessary for the preservation of public health, safety and welfare.

NOW, THEREFORE, IT IS RESOLVED that as of Wednesday, July 11, 2018 at 3:00 pm, Stage One fire restrictions are hereby re-implemented in all of unincorporated Hinsdale County, Colorado until further notice as follows:

1. The following activities are prohibited:
 - a. Building, maintaining, attending, or using a fire, campfire, charcoal barbecues/grills or stove fires;

EXCEPT: Building, maintaining, attending or using a fire, including charcoal, in constructed, permanent fire pits or fire grates within developed recreation sites or

on private property is permissible. The use of portable stoves, lanterns using gas, jellied petroleum, pressurized liquid fuel or a fully enclosed (shepherd type) gas stove or grill with a 1/4" spark arrester type screen is also permitted.

- b. Using explosive materials;
- c. Smoking, except in an enclosed vehicle, trailer, building or tent, a developed recreation site, or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable material;
- d. Operating a chainsaw without an approved USDA or SAE spark arrester and without a chemical pressurized fire extinguisher of not less than eight ounces capacity by weight, and one size 0 or larger pointed shovel with an overall length of at least 36 inches. The extinguisher shall be with the power saw operator; and
- e. Welding or operating an acetylene or other torch with an open flame, except in an area that is barren or cleared of all flammable materials at least 10 feet on all sides from the equipment.

2. The following activities are permitted:

- a. Cooking on manufactured liquid fuel and propane grills;
- b. Campfires with flame length not exceeding two feet in height in pre-fabricated concrete/metal fire enclosures in established campgrounds (USFS, NPS, privately owned); and
- c. Fires in chiminea type manufactured enclosures on private property.

3. The following persons are exempt from the prohibitions of this Resolution:

- a. Any local, state, or federal officer, or member of an organized emergency operation (i.e. fire, search and rescue, law enforcement, etc.),
- b. Persons with a permit specifically authorizing the otherwise prohibited act or omission may be eligible for an exemption from prohibitions contained in subsections a, b, d and e of Section 1 above;
- c. Persons using a portable fire pit with an approved screen are exempt from subsection 1.a. above.

4. Any violations of this Resolution shall be punishable according to the penalty and fine provisions contained in Ordinance No. 1, Series 2012.

This Resolution shall become effective at 3:00 pm on, July 11, 2018 without further action necessary.

INTRODUCED by Commissioner Cindy Dozier seconded by Commissioner Stan Whinnery, and adopted this 11th day of July 2018.

BOARD OF COUNTY COMMISSIONERS
OF HINSDALE COUNTY, COLORADO

By Susan Thompson
Susan Thompson, Chair

ATTEST:

Jean Roberts
Hinsdale County Clerk

