

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

RESOLUTION NO. 9, SERIES 2018

A RESOLUTION IMPLEMENTING STAGE TWO 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 ("Stage One fire ban resolution"); and

WHEREAS, the Board has determined that the risk of wildfire has increased since the adoption of the Stage One fire ban resolution necessitating the adoption of the Stage Two fire restrictions contemplated below to further 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 Monday, July 2, 2018 at 1 am/pm Stage Two fire restrictions will be in place 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, or stove fire, including charcoal grills and barbeques, coal and wood burning stoves and sheepherder's stoves. This prohibition applies to all areas including in developed camping and picnic grounds.

EXCEPTION: Devices using pressurized liquid or gas (stoves, grills or lanterns) that include shut-off valves are permitted when used in an area at least three (3) feet or more from flammable material such as grasses or pine needles.

b. Smoking.

EXCEPTION: Smoking is allowed only within an enclosed vehicle, trailer or building.

- c. Welding or operating acetylene or other torch with an open flame.
 - d. Operating or using any internal combustion engine, such as a chainsaw, generator or all-terrain vehicle, without a spark arresting device properly installed, maintained and in effective working order meeting either:
 - i. USDA Forest Service Standard 5100-1a; or
 - ii. Appropriate Society of Automotive Engineers (SAE) recommended practice J335(b) and J350(a).
 - e. Operating a chainsaw without an approved spark arresting device as described in Prohibition 1.d above, a chemical pressurized fire extinguisher (8 oz. capacity by weight or larger and kept with operator), and a round point shovel with an overall length of at least 35 inches readily available for use.
 - f. Using an explosive, including but not limited to, fuses or blasting caps, fireworks (including sparklers), rockets, exploding targets, and tracers or incendiary ammunition.
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, c, d, e, and f of Section 1 above;
 - c. Persons using devices such as stoves, grills or lanterns with pressurized gas canisters for isobutene or propane that include shut-off valves.
4. This Resolution supersedes, rescinds, and replaces Hinsdale County Board of County Commissioner Resolution No. 6, Series 2018 that implemented the Stage One fire restrictions.
5. Any violations of this Resolution shall be punishable according to the penalty and fine provisions contained in Ordinance No, 1 Series 2012.*

This Resolution becomes effective at 1 am on, July 2, 2018 without further action necessary.

THIS STAGE TWO FIRE RESTRICTIONS RESOLUTION is hereby adopted this 2nd day of July, 2018.

BOARD OF COUNTY COMMISSIONERS
OF HINSDALE COUNTY, COLORADO

By Susan Thompson
Susan Thompson, Chair

ATTEST:

Jean Roberts by
Hinsdale County Clerk

Tom Palm, Deputy Clerk

