AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item:

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement:

Term Begins: **Term Ends:** **Grant Contract #:**

Summary:

Resolution Implementing Stage 2 Fire Restrictions

Fiscal Impact:

Submitted by: Lauren Hibbard **Submitter's Email Address:** lhibbard@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ○ Required ◉ Not Required

Comments:

Reveiwed by: Discharge Date: Certificate of Insurance Required

Yes ○ No ○

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\emense Discharge Date: 9/1/2020

○ Consent Agenda ◉ Regular Agenda ○ Worksession Time Allotted: 15

Agenda Date: 9/2/2020

Revised April 2015

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO
RESOLUTION NO. 2020-__

A RESOLUTION IMPLEMENTING STAGE 2 FIRE RESTRICTIONS

WHEREAS, the Board of County Commissioners of Gunnison, Colorado previously has adopted Ordinance No. 8 a., An Ordinance Establishing a Permanent Process to Periodically Ban Open Fires Within the Unincorporated Areas of Gunnison County, Colorado, ("Ordinance No. 8 a."); and has adopted Ordinance No. 14, An Ordinance Amending Ordinance No. 8 Establishing A Permanent Process To Periodically Ban Open Fires Within the Unincorporated Areas Of Gunnison County, Colorado, ("Ordinance No. 14"); and

WHEREAS, pursuant to Ordinance No. 8 a. and Ordinance No. 14, the Board of County Commissioners of Gunnison County, Colorado has power 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 wildfires within those portions of the unincorporated areas of Gunnison County where the danger of forest or grass fires is found to be high based on competent evidence; and

WHEREAS, the Board of County Commissioners of Gunnison County, Colorado, has determined that currently the danger of forest or grass fires in that portion of Gunnison County within the Sopris Ranger District in the White River National Forest, is high at this time and fire restrictions are necessary and appropriate in that portion of Gunnison County within the Sopris Ranger District in the White River National Forest, to reduce the danger of wildfires in Gunnison County.

NOW, THEREFORE, it is resolved that as of _____, Stage 2 fire restrictions, as defined as follows, will be in place in that portion of Gunnison County within the Sopris Ranger District in the White River National Forest, until further notice.

The following are prohibited:

1. Building, maintaining, attending or using a fire, campfire, or stove fire. This includes charcoal grills and barbecues, coal and wood burning stoves and sheepherder's stoves and includes use in developed camping and picnic grounds.

   EXCEPT: 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 feet or more from flammable material such as grasses or pine needles.

2. Smoking.

   EXCEPT: Within enclosed vehicle, trailer or building.

3. Welding or operating acetylene or other torch with open flame.

4. Operating or using any internal combustion engine (e.g. chainsaw, generator, ATV) without a spark arresting device properly installed, maintained and in effective working order meeting either:

   (a) Department of Agriculture, Forest Service Standard 5100-1a; or

(b) Appropriate Society of automotive Engineers (SAE) recommended practice J335(b) and J350(a).

5. Operating a chainsaw without an approved spark arresting device as described in Prohibition #4, a chemical pressurized fire extinguisher (8 oz. capacity by weight or larger and kept with the operator) and a round point shovel with an overall length of at least 35 inches readily available for use.

6. Using an explosive. This includes but is not limited to fuses or blasting caps, fireworks, rockets, exploding targets, and tracers or incendiary.

7. Possessing or using a motor vehicle off established roads, motorized trails or established parking areas, except when parking in an area devoid or vegetation within 10 feet of the vehicle.

EXEMPTIONS:

1. Persons with a valid Forest Service permit or contract specifically authorizing the otherwise prohibited act or omission may be eligible for an exemption from Prohibitions #1, #3, #4, #5, #6 and #7. Any exemption must be applied for in writing, include an appropriate mitigation plan and must be authorized in writing by the appropriate Forest Service official. The authorization must be in the physical possession of the person or persons undertaking the exempted activities.

2. Any Federal, State or local officer or member of an organized rescue or firefighting force in the performance of an official duty is exempt from Prohibitions #1, #3, #5, #6 and #7.

3. Residents, owners or lessees within the restricted area are exempt from Prohibition #1, provided such fires are within a permanent dwelling and there is a spark arrestor in working order on the chimney.

This Resolution has immediate effect upon its passage by the Board of Commissioners without further action necessary.

INTRODUCED by Commissioner _____, seconded by Commissioner _____, and adopted this ____ day of September, 2020.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

By _____
Jonathan Houck, Chairperson

By _____
Roland Mason, Vice Chairperson

By _____
Elizabeth Smith, Commissioner

ATTEST:

_____
Deputy County Clerk