



**BOARD OF COUNTY COMMISSIONERS  
OF GUNNISON COUNTY**

**ORDINANCE NO. 19**

**AN ORDINANCE REPEALING ORDINANCE NO. 11 REGARDING POLLUTION  
CAUSED BY WOOD SMOKE.**

WHEREAS, on December 11, 2000, the Gunnison County Board of County Commissioners (Board) adopted Ordinance No. 11, concerning the regulation of pollution caused by wood smoke in unincorporated Gunnison County;

WHEREAS, as acknowledged by Ordinance No. 11, the Gunnison County Land Use Resolution (LUR) fully regulates and addresses pollution caused by wood smoke in the County, including the provision of remedies available to the County and penalties that may be assessed against violators of such provisions of the LUR;

WHEREAS, the Colorado Legislature, through passage of Senate Bill 21-271, amended the penalties associated with violation of county ordinances, such that Ordinance No. 11 no longer provides for a criminal penalty that is permitted by law; and

WHEREAS, due to the foregoing, the Board has determined that Ordinance No. 11 is no longer necessary or appropriate to remain in effect;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, COLORADO:

**Section 1. Repeal.**

Ordinance No. 11, An Ordinance Establishing Regulations for Controlling Pollution Caused by Wood Smoke within Unincorporated Gunnison County, Colorado, is hereby repealed and is no longer in effect as of the effective date of this Ordinance.

**Section 2. Certification.**

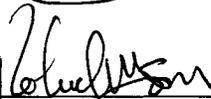
The County Clerk shall certify to the passage of this Ordinance and make not less than three copies of the adopted Code available for inspection by the public during regular business hours.

PASSED BY THE BOARD OF COUNTY COMMISSIONERS AFTER A PUBLIC HEARING AND SIGNED THIS 7<sup>th</sup> DAY OF June, 2022.

**BOARD OF COUNTY COMMISSIONERS  
OF GUNNISON COUNTY, COLORADO**

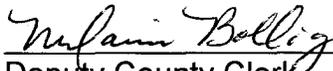


  
\_\_\_\_\_  
Jonathan Houck, Chairperson

  
\_\_\_\_\_  
Roland Mason, Commissioner

  
\_\_\_\_\_  
Elizabeth Smith, Commissioner

Attest:

  
\_\_\_\_\_  
Deputy County Clerk

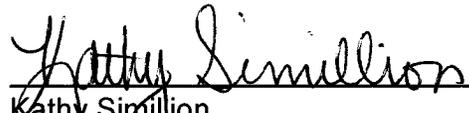


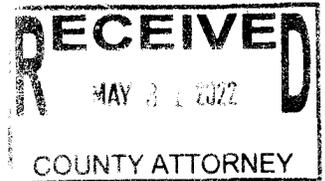


CLERK'S CERTIFICATION

I, Kathy Simillion, Clerk and Recorder of Gunnison County, Colorado, do hereby attest and certify that the Ordinance set forth above was introduced, read and ordered published at a regular meeting of the Board of County Commissioners of Gunnison County, Colorado on May 17, 2022. The Ordinance was then published in the *Gunnison County Times* on May 26, 2022. It was thereafter passed at a regular meeting of the Board of County Commissioners of Gunnison County, Colorado on June 7, 2022 and published in the *Gunnison Country Times* on June 9, 2022.



  
\_\_\_\_\_  
Kathy Simillion  
Clerk and Recorder of Gunnison County



**Proof of Publication**  
5/26/2022

Gunnison County Attorney's Office  
200 E. Virginia Ave.  
Gunnison CO 81230

Gunnison County, CO  
6/20/2022 2:47:03 PM  
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Page 4 of 9  
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STATE OF COLORADO  
County of Gunnison

I, Alan Wartes, do solemnly swear that I am Publisher of THE GUNNISON COUNTRY TIMES; that the same is a weekly newspaper printed in whole or in part in the County of Gunnison, State of Colorado, and has a general circulation therein; that said newspaper has been published continuously and uninterruptedly in said County of Gunnison for a period of more than 52 consecutive weeks prior to the first publication of the annexed legal notice or advertisement; that said newspaper has been admitted to the United States mails as second-class matter under provisions of the Act of March 3, 1879, and any amendments thereof; and that said newspaper is a weekly newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado.

That the legal notice or advertisement of which the attached is a full, true and correct copy, was published in the regular and entire issue of every number of said weekly newspaper for the period of 1 issues(s); and that the first publication of said notice was in the issue of said newspaper dated 5/26/2022, and that the last publication of said notice was in the issue of said newspaper dated 5/26/2022.

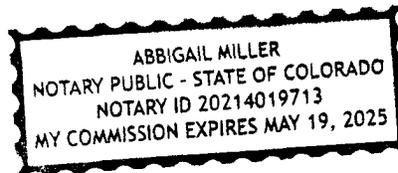
In witness whereof I have hereunto set my hand this 27<sup>th</sup> day of May, A.D. 2022.

Alan Wartes  
Alan Wartes, Publisher

Subscribed and sworn to before me, a notary public in and for the County of Gunnison, State of Colorado, this 27<sup>th</sup> day of May, A.D. 2022.

Abbigail Miller  
Notary Public this date of 5/26/2022

27





## Proof of Publication

5/26/2022

Name	Gunnison County Attorney's Office
Order Number	4223
Order Date	5/24/2022
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Last Issue	5/26/2022
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Publication Dates	Gunnison Country Times: 5/26/2022



## Proof of Publication

5/26/2022

cont. Gunnison County Attorney's Office

Order No: 4223

### PUBLIC NOTICE

NOTICE is hereby given of a public hearing before the Board of County Commissioners of the County of Gunnison, Colorado, at 8:30 a.m. of the 7th day of June, 2022, in the Board of County Commissioners Meeting Room, Gunnison County Courthouse, 200 East Virginia Avenue, Gunnison, Colorado for the purpose of adopting Ordinance No. 19, an ordinance repealing Ordinance No. 11, "An Ordinance Establishing Regulations for Controlling Pollution Caused by Wood Smoke Within Unincorporated Gunnison County, Colorado".

**Ordinance No. 19 is hereby published in full pursuant to C.R.S. § 30-15-406.**

This notice given and published by the order of the Board of County Commissioners.

Dated this 23 rd day of May, 2022.  
COUNTY OF GUNNISON, COLORADO

**BOARD OF COUNTY COMMISSIONERS  
OF GUNNISON COUNTY**

**ORDINANCE NO. 19**

**TITLE: AN ORDINANCE REPEALING  
ORDINANCE NO. 11 REGARDING  
POLLUTION CAUSED BY WOOD SMOKE.**

WHEREAS, on December 11, 2000, the Gunnison County Board of County Commissioners (Board) adopted Ordinance No. 11, concerning the regulation of pollution caused by wood smoke in unincorporated Gunnison County;

WHEREAS, as acknowledged by Ordinance No. 11, the Gunnison County Land Use Resolution (LUR) fully regulates and addresses pollution caused by wood smoke in the County, including the provision of remedies available to the County and penalties that may be assessed against violators of such provisions of the LUR;

WHEREAS, the Colorado Legislature, through passage of Senate Bill 21-271, amended the penalties associated with violation of county ordinances, such that Ordinance No. 11 no longer provides for a criminal penalty that is permitted by law; and

WHEREAS, due to the foregoing, the Board has determined that Ordinance No. 11 is no longer necessary or appropriate to remain in effect;

**NOW, THEREFORE, BE IT ORDAINED BY  
THE BOARD OF COUNTY  
COMMISSIONERS OF THE COUNTY OF  
GUNNISON, COLORADO:**

Section 1. Repeal.

Ordinance No. 11, An Ordinance Establishing Regulations for Controlling Pollution Caused by Wood Smoke within Unincorporated Gunnison County, Colorado, is hereby repealed and is no longer in effect as of the effective date of this Ordinance.

Section 2. Certification.

The County Clerk shall certify to the passage of this Ordinance and make not less than three copies of the adopted Code available for inspection by the public during regular business hours.

PASSED BY THE BOARD OF COUNTY COMMISSIONERS AFTER A PUBLIC HEARING AND SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

Gunnison Country Times  
Gunnison, Colorado  
Publication date of May 26, 2022

4223



## Proof of Publication

6/9/2022

Gunnison County Attorney's Office  
200 E. Virginia Ave.  
Gunnison CO 81230

STATE OF COLORADO  
County of Gunnison

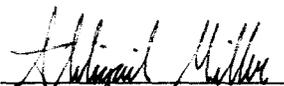
I, Alan Wartes, do solemnly swear that I am Publisher of THE GUNNISON COUNTRY TIMES; that the same is a weekly newspaper printed in whole or in part in the County of Gunnison, State of Colorado, and has a general circulation therein; that said newspaper has been published continuously and uninterruptedly in said County of Gunnison for a period of more than 52 consecutive weeks prior to the first publication of the annexed legal notice or advertisement; that said newspaper has been admitted to the United States mails as second-class matter under provisions of the Act of March 3, 1879, and any amendments thereof; and that said newspaper is a weekly newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado.

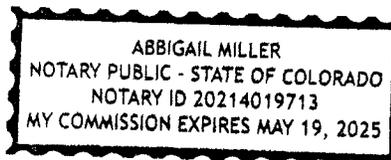
That the legal notice or advertisement of which the attached is a full, true and correct copy, was published in the regular and entire issue of every number of said weekly newspaper for the period of 1 issue(s); and that the first publication of said notice was in the issue of said newspaper dated 6/9/2022, and that the last publication of said notice was in the issue of said newspaper dated 6/9/2022.

In witness whereof I have hereunto set my hand this 9<sup>th</sup> day of June, A.D. 2022.

  
\_\_\_\_\_  
Alan Wartes, Publisher

Subscribed and sworn to before me, a notary public in and for the County of Gunnison, State of Colorado, this 9 day of June, A.D. 2022.

  
\_\_\_\_\_  
Notary Public this date of 6/9/2022





## Proof of Publication

6/9/2022

Name	Gunnison County Attorney's Office
Order Number	4451
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Last Issue	6/9/2022
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Publications	Gunnison Country Times
Publication Dates	Gunnison Country Times: 6/9/2022



## Proof of Publication

6/9/2022

cont. Gunnison County Attorney's Office

Order No: 4451

**NOTICE** is hereby given that upon a vote at a regular meeting the Board of County Commissioners of the County of Gunnison, Colorado on June 7, 2022 Ordinance No. 19, entitled AN ORDINANCE ESTABLISHING REGULATIONS FOR CONTROLLING POLLUTION CAUSED BY WOOD SMOKE WITHIN UNINCORPORATED GUNNISON COUNTY, COLORADO as first published as a Public Notice in the MAY 26, 2022 edition of Gunnison Country Times. A copy of Ordinance No. 19 will also be available on the Gunnison County, Colorado website.

This notice given and published by the order of the Board of County Commissioners pursuant to C.R.S. § 30-15-405.

Dated this 7th day of June, 2022.  
COUNTY OF GUNNISON, COLORADO

Gunnison Country Times  
Gunnison, Colorado  
Publication date of June 9, 2022

4451