

**BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY**

ORDINANCE NO. 8

**AN ORDINANCE ESTABLISHING A PERMANENT
PROCESS TO PERIODICALLY BAN OPEN FIRES WITHIN THE
UNINCORPORATED AREAS OF GUNNISON COUNTY, COLORADO.**

WHEREAS, pursuant to C.R.S. 30-15-401 (1)(n. 5), the Board of County Commissioners of Gunnison County, Colorado (hereinafter "Board") has the authority under its police powers, 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, from year to year, the degree and manner in which the Board may choose to exercise that authority will be different based on the then existing conditions; and

WHEREAS, the Board desires to establish a permanent process, more expeditious than the ordinance process, to periodically ban open fires within the unincorporated areas of Gunnison County, Colorado; and

WHEREAS, the establishment of such a permanent and expeditious process will facilitate timely implementation of periodic fire bans in a manner that promotes public safety, awareness and support.

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

SECTION 1

That the Board of County Commissioners of Gunnison County 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.

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SECTION 2

Board of County Commissioners of Gunnison County Resolution 1996-17, A Resolution Banning Open Fires Within The Unincorporated Areas Of Gunnison County, Colorado, is hereby ratified.

SECTION 3

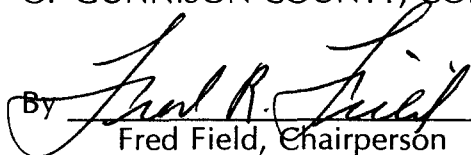
That any person who violates any resolution passed or ratified pursuant to this Ordinance commits a class 2 petty offense and, upon conviction thereof, shall be punished by a fine of not more than three hundred dollars for each separate offense. The penalty assessment procedure provided in C.R.S. 16-2-102 may be followed by any arresting law enforcement officer for any such violation. That penalty assessment procedure shall provide for a fine of two hundred dollars (\$200.00) for each separate offense and a fine of three hundred dollars (\$300.00) for any repeat offense by the same individual.

SECTION 4

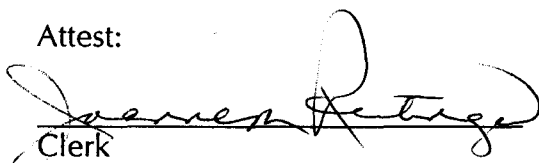
This Ordinance is necessary for the immediate preservation of the public health and safety based on the current and extreme high danger of forest or grass fires in all of the unincorporated areas of Gunnison County. This Ordinance takes effect upon its adoption.

INTRODUCED, FIRST READ and ORDERED PUBLISHED in full this 21st day of May, 1996.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

By  _____
Fred Field, Chairperson

Attest:

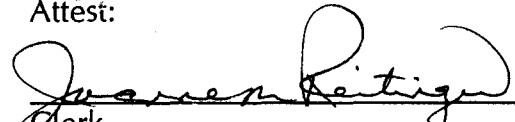

Clerk

5th READ ON SECOND READING, ADOPTED AND ORDERED PUBLISHED in full this
day of June, 1996.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

By 
Fred Field, Chairperson

Attest:


Clerk

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY
RESOLUTION NO. 96-17

A RESOLUTION BANNING OPEN FIRES WITHIN THE UNINCORPORATED AREAS OF
GUNNISON COUNTY, COLORADO

WHEREAS, the Board of County Commissioners of Gunnison County, Colorado, has determined that currently the danger of forest or grass fires in unincorporated Gunnison County is high;

NOW, THEREFORE, it is resolved that as of May 15, 1996 at 10:30 a.m., open fires within the unincorporated areas of Gunnison County, Colorado, are banned. This Resolution has immediate effect upon its passage by the Board without further action necessary.

INTRODUCED by Commissioner Suterelli, seconded by Commissioner Hild, and adopted this 15th day of May, 1996.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

By Frank B. Smith
Chairperson

Attest:

James M. Rantgers
Clerk

CERTIFICATION

I hereby certify that the foregoing three pages constitute a complete and correct copy of an ordinance introduced and read in full at a regular meeting of the Board of County Commissioners of Gunnison on the 21st day of May, 1996. Said ordinance was thereafter published in full once at least ten days before the second reading in the Gunnison Country Times newspaper of general circulation in Gunnison County on May 24, 1996.

On the 5th day of June, 1996, said ordinance was read in full, adopted by a majority vote of the Board of County Commissioners and was thereafter published in full in the Gunnison Country Times on 6/11/96.


Clerk

EFFECTIVE DATE: June 5, 1996