

**BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF HINSDALE, COLORADO
RESOLUTION NO. 15 SERIES 2013**

A RESOLUTION IMPLEMENTING A STAGE 2 FIRE BAN

WHEREAS, pursuant to §30-15-401(1)(n.5) & (n.7), 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, 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 has determined that currently the danger of forest and grass fires in all of unincorporated Hinsdale County is high at this time and a fire ban is 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 July 1, 2013 at 12:00 Noon, a Stage Two fire ban will be in place in all of unincorporated Hinsdale County, Colorado until further notice as follows:

1. The following acts are prohibited until further notice:
 - a. Open burning, burn barrels and agricultural burning within all private land in the unincorporated areas of Hinsdale County;
 - b. Building, maintaining, attending or using a fire, campfire, coal or wood-burning stove, any type of charcoal fueled broiler or open fire of any type. Mechanical stoves and appliances fueled by bottled or liquid gas (such as gas grills), which allow the operator to control and extinguish the flame with a valve are permitted;
 - c. Smoking is prohibited, except within an enclosed vehicle or building;
 - d. Using explosive materials: (i.e. fireworks of all types, including sparklers; blasting caps, or incendiary devices that may result in the ignition of flammable materials). Blasting in development areas or construction areas with a continuous fire watch will be permitted with written authorization from the Board of County Commissioners of Hinsdale County;
 - e. Welding or operating an acetylene or similar torch with open flame. Welding and

cutting will be permitted with the following requirements, a 20-foot radius safe zone free of vegetation, one (1) 2-1/2 gallon pressurized fire extinguisher or a 5lb. ABC extinguisher or a pressurized water supply and proper hand tools must be on site, and a fire watch individual must be standing by continuously. Oil and gas welding and cutting operations, which are required to comply with the requirements of the Colorado Oil and Gas Conservation Commission Rules for Fire Prevention and Production, Rule 606A(o), shall be conducted with a 40-foot diameter safe zone;

f. Operating or using any internal combustion engine without a spark arresting device properly installed, maintained and in effective working order meeting either:

Department of Agriculture, Forest Service Standard 5100-1a; or
Appropriate Society of Automotive Engineer (SAE) recommended practice J335 (b) and J350 (a); and

g. Operating a chainsaw without a chemical pressurized fire extinguisher of not less than 8 ounces capacity by weight, and one size 0 or larger round pointed shovel with an overall length of at least 36 inches. The extinguisher shall be with the chainsaw operator. The shovel may be kept with the fueling supplies but readily available.

2. Any local, state, or federal officer, or member of an organized emergency operation (ie. fire, search and rescue, law, etc) is exempt from these restrictions in the performance of official duty.

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

INTRODUCED by Commissioner _____, seconded by Commissioner _____, and adopted this 1st day of July, 2013.

BOARD OF COUNTY COMMISSIONERS
OF HINSDALE COUNTY, COLORADO

By _____
Cindy Dozier, Chairperson

ATTEST:

Hinsdale County Clerk