

RESOLUTION DECLARING FIRE RESTRICTIONS IN LARIMER COUNTY

WHEREAS, the Board of County Commissioners of Larimer County adopted Ordinance No. 007-001 CONCERNING THE BAN OF OPEN FIRES, CONTAINED OPEN FIRES, FIREWORKS AND INCENDIARY DEVICES, and

WHEREAS, Ordinance 007-001, as amended on October 7, 2014, authorizes the Board to impose a restriction upon open fires, contained open fires, the use of fireworks and/or public firework displays in the unincorporated territory of Larimer County by adopting a resolution at any regularly scheduled or special meeting of the Board; and

WHEREAS, Ordinance 007-001 defines certain terms as follows:

1. **Open fires** shall mean: any open burning, including camp and cooking fires; or welding, or operating an acetylene or other torch with open flame. Open fires shall not include:
 - a. Fires in camp stoves or grills, fueled by bottled gas or pressurized liquid, and specifically designed for cooking or heating purposes.
 - b. Fires in permanently constructed stationary masonry or metal fireplaces specifically designed for the purpose of combustion.
 - c. Fires in commercially operated wood and/or charcoal fired grills designed for cooking.
 - d. Charcoal fired grills when used at a private residence and located on a non-combustible surface of at least ten feet in diameter.
 - e. Smoking within an enclosed vehicle or building, a developed recreation site, or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable material. Smoking within an enclosed vehicle shall mean that the cigarette, cigar or other smoking instrument is at all times contained within the vehicle and is not allowed to leave the vehicle or protrude or be held outside the vehicle, including the window of the vehicle. Butts and stubs must be disposed of within a trash receptacle or within the vehicle.
 - f. Welding and other torch work within an enclosed building.
 - g. Outdoor welding and other torch work provided that:
 - i. The area where the welding or other torch work is to be performed is free of vegetation for at least thirty feet in all directions;

- ii. Wind speed is less than 10m.p.h.; and
- iii. There is sufficient amount of fire suppressant immediately available to suppress any fire that may be started.
- h. Fires in air curtain burners.
- i. Use of fire by firefighters to stop or contain wildfires.

2. **Contained open fires** shall mean: fires in permanently constructed stationary masonry or metal fireplaces specifically designed for the purpose of combustion; or operating or using any internal or external 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 Engineers (SAE) recommended practice J335(b) and J350(a). Contained open fires shall not include fireplaces or wood stoves located inside permanent structures.

3. **Fireworks** shall mean: any article, device, or substance prepared for the primary purpose of producing a visual or auditory sensation by combustion, explosion, deflagration, or detonation.

4. **Fireworks does not include:**

- a. Toy caps which do not contain more than twenty-five hundredths of a grain of explosive compound per cap;
- b. Highway flares, railroad fuses, ship distress signals, smoke candles, and other emergency signal devices;
- c. Educational rockets and toy propellant device type engines used in such rockets when such rockets are of nonmetallic construction and utilize replaceable engines or model cartridges containing less than two ounces of propellant and when such engines or model cartridges are designed to be ignited by electrical means;
- d. Fireworks which are used in testing or research by a licensed explosives laboratory.

5. **Public fireworks displays** shall mean: any display of fireworks conducted by a qualified pyrotechnic operator in compliance with article 78, section 7802 – fireworks – of the uniform fire code, as amended, and conducted only after the approval by the local fire authority, and compliance with any conditions imposed by the local fire authority.

6. **Incendiary devices shall mean;** any object which is combustible, flammable, explodes or is designed to or may cause fire. This includes sky lanterns, exploding ammunition, exploding targets and tracer ammunition.

WHEREAS, the Board finds that due to unusually dry conditions, and based on the recommendations of the Larimer County Sheriff and other competent evidence, the danger of wildfire, forest and grass fires is very high to extreme in Larimer County.

NOW, THEREFORE, BE IT RESOLVED that the Board finds that it is in the best interest of the people of Larimer County and to further their safety and welfare, that a prohibition of open fires (definition 1), the use of fireworks (definitions 3, 4), and public fireworks displays (definition 5) in the unincorporated territory of Larimer County shall be imposed effective 12:00 p.m. July 21, 2020 through 11:59 p.m. August 31, 2020.

BE IT FURTHER RESOLVED, the Sheriff of Larimer County is authorized to exempt from such ban any open fire (1), use of fireworks (3,4), or public fireworks display (5) approved in advance by the Sheriff, after inspection of the containment structure, surrounding vegetation and potential fire fuel, and the immediate availability of fire suppression apparatus.

Adopted and effective this 21st day of July, 2020.

BOARD OF COMMISSIONERS OF LARIMER
COUNTY, COLORADO

By: Steve Johnson
Chair

ATTEST:

D. D. Dwyer
Deputy Clerk to the Board

