

RESOLUTION 2020-07

A RESOLUTION OF THE SAN JUAN COUNTY BOARD OF COUNTY COMMISSIONERS IMPLEMENTING AN IMMEDIATE FIRE BAN

WHEREAS, the Board of County Commissioners of San Juan County is empowered under C.R.S. 30-11-107 (1) (e), to provide for the management of the business and concerns of the County; and

WHEREAS, pursuant to C.R.S. 30-15-401 (n.5), the Board of County Commissioners of San Juan County has the power to adopt an ordinance to ban open fires to a degree and in a manner that is deemed necessary to reduce the danger of wildfires; and

WHEREAS, the Board of County Commissioners of San Juan county has received competent evidence that there exists within the unincorporated areas of San Juan County a high danger of forest of grass fires; and

- WHEREAS, the Board of County Commissioners of San Juan County have received a request from the San Juan County Sheriff acting as the Fire Marshall to impose a county-wide fire ban; and

WHEREAS, the Board of County Commissioners has declared an emergency disaster due to the COVID-19 Pandemic and its Emergency Services capabilities are limited and have had undue pressure put on those capabilities; and

WHEREAS, the enactment of this Resolution is necessary for the immediate preservation of the public health, safety and welfare.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SAN JUAN COUNTY, COLORADO;

1. That a fire ban is necessary to reduce the danger of wildfires within all private land in the unincorporated areas of San Juan County.
2. That a fire ban prohibiting open burning within all private land in the unincorporated areas of San Juan County and within all land owned by San Juan County is hereby enacted.
3. That the fire ban is hereby proclaimed to be implemented on July 10, 2020 Stage I Fire Restrictions to prohibit the follow acts:
4. The following acts are prohibited until further notice:
  - A. Building, maintaining, attending, or using a fire, campfire, coal or wood burning stove, any type of charcoal fueled broiler, propane fire ring or open fire of any type in all areas. Propane grills and stoves are allowed.

- B. Smoking, except within an enclosed vehicle or building, in a developed recreation site or while stopped in an area at least 3 feet in diameter that is barren or cleared of all flammable vegetation.
- C. Using explosive material: (i.e.: fireworks, blasting caps or any incendiary device which may result in the ignition of flammable material.)
- D. Welding, or operating acetylene or other similar torch with open flame.
- E. Operating or using any internal combustion engine 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

5. Commercial, professional and municipal fireworks displays are allowed if specific written approval has been granted by the San Juan County Sheriff.

That the fire ban shall remain in effect until the following occurs:

The Sheriff, acting as Fire Marshall, or the Fire Chiefs of the affected districts shall request in writing that the fire ban be removed from all or part of their various jurisdictions.

READ, PASSED AND ADOPTED this 10<sup>th</sup> day of July, 2020 by the Board of Commissioners of San Juan County, Colorado.

  
Peter C. McKay, Chair

  
Scott Fetchenhier

Attest:

  
Ladonna L. Jaramillo  
Clerk and Recorder

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Ernest F. Kuhlman