

ORDINANCE NO. 9
Series of 2018

AN EMERGENCY ORDINANCE OF THE TOWN OF CARBONDALE, COLORADO
IMPOSING IMMEDIATE FIRE RESTRICTIONS

WHEREAS, the current drought has increased fire danger in the Town of Carbondale (the “Town”) and surrounding areas; and

WHEREAS, on May 31, 2018, Garfield County implemented “Stage 1” fire restrictions for all private and state lands in Garfield County, pursuant to which campfires, smoking, use of explosive materials, and other activities are restricted; and

WHEREAS, in conjunction with Garfield County’s fire restrictions, on May 31, 2018, Town Staff, in consultation with the Carbondale & Rural Fire Protection District, instituted Stage 1 fire restrictions within Town limits until further notice; and

WHEREAS, pursuant to Section 3-7 of the Carbondale Home Rule Charter, the Board of Trustees is authorized to adopt and enforce such emergency ordinances as may be required to protect the public peace, health, or safety; and

WHEREAS, Section 3-7 of the Carbondale Home Rule Charter further authorizes the Board to immediately implement an emergency ordinance by affirmative vote of every member of the Board of Trustees present at any regular or special meeting or by affirmative votes equal to a quorum plus one, whichever is less, so long as the ordinance states that it is an emergency ordinance and describes the nature of the emergency; and

WHEREAS, the Board of Trustees has reviewed the fire restrictions imposed by Town Staff on May 31, 2018; and

WHEREAS, the Board of Trustees finds that the fire restrictions currently in effect are necessary to reduce the risk of wildfire in the Town and therefore desires to ratify those restrictions; and

WHEREAS, the Board of Trustees desires to update the fire restrictions currently in effect to clarify their scope.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF CARBONDALE, COLORADO that the following fire restrictions are effective immediately, subject to repeal as set forth below:

1. The following restrictions are now in effect within the Town of Carbondale, Colorado effective June 12, 2018:

- a. No fires of any type are allowed except for charcoal or gas grills and smokers.
- b. No smoking is allowed except within an enclosed vehicle or building, a developed recreation site, or in a barren area free of vegetation of at least 20 feet in diameter.
- c. No use of explosive materials is permitted.
- d. No welding or operation of an acetylene or other similar torch with open flame is permitted except from an area that has been cleared of vegetation of at least 30 feet in diameter.
- e. No operation of any internal combustion engine without a spark arresting device properly installed and in working order is permitted.
- f. The fire chief for the Carbondale & Rural Fire Protection District may permit a fire if deemed appropriate.

2. Any violation of the terms of this Ordinance shall be subject to issuance of a penalty assessment ticket in the amount of \$100.00, summons or prosecution pursuant to Article 4, Chapter 1 of the Municipal Code.

3. The foregoing fire restrictions shall remain in effect until the Town Manager or Board of Trustees, in consultation with the Carbondale & Rural Fire Protection District, determines that the fire conditions no longer warrant the restrictions.

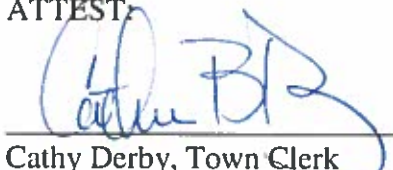
4. Because the Board of Trustees finds that it is necessary to adopt this ordinance as an emergency ordinance to protect the general health, safety, and welfare of the citizens of the Town, this ordinance shall become effective immediately upon passage.

INTRODUCED, READ AND PASSED THIS 12th day of June, 2018.

TOWN OF CARBONDALE, COLORADO
a Colorado home rule municipal corporation,


Dan Richardson, Mayor

ATTEST:


Cathy Derby, Town Clerk

