

RESOLUTION NO. 396

AN EMERGENCY RESOLUTION ADOPTING ADDITIONAL FIRE RESTRICTION FOR TOWN OF BAYFIELD

WHEREAS, the Board of Trustees for the Town of Bayfield finds that the conditions for extreme fire in and around the Town of Bayfield are extreme;

WHEREAS, in addition to fire restriction measures already in place in the Town of Bayfield, under the provisions of the Municipal and Fire Codes, the Board of Trustees desires to prohibit other actions and devices that may ignite combustible materials; and

WHEREAS, the Board of Trustees understands and supports the decision of the La Plata County Board of County Commissioners who recently imposed Stage 3 Fire Restrictions for the unincorporated County;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES FOR THE TOWN OF BAYFIELD:

Section 1. The provisions of the Municipal Code of the Town of Bayfield, along with any other provisions which allow the lighting and/or keeping of open fires within the jurisdictional limits of the Town are hereby suspended, until such time as the Town Board moves to repeal the terms of this Resolution in full or in part.

Section 2. Until such Suspensions have been lifted, the following restrictions pertaining to outdoor activities within the jurisdictional limits of the Town shall apply:

- 1. Agricultural burning** including but not limited to weeds, brush, or grass.
- 2. Building, maintaining, attending an Open Flame**, 36 CFR 261.52(a), including camp fire, stove fire, charcoal grills and barbeques, coal and wood burning stoves and devices (stoves, grills, or lanterns) using liquid fuel such as white gas or kerosene. Except: devices (stoves, grills or lanterns) using pressurized gas canisters (isobutene or propane) that include shut-off valves or within a closed vehicle or building.
- 3. Smoking**, Except: Within an enclosed vehicle, trailer, or building. Discarding of cigarette butts in a receptacle not designed for disposal of cigarette butts, or at any location, or from any vehicle is expressly prohibited.
- 4. Use of any explosives materials**, to include: fireworks, solid fuel rockets, blasting caps or any incendiary device, which may result in the ignition of flammable material.
- 5. Outdoor welding, grinding** or use of any type of torch in any area which presents the possibility of igniting vegetation or other combustible material, and there must be an adequate water supply and/or fire extinguisher on site;

6. Operating any outdoor equipment or machinery in an undeveloped area with an internal combustion engine without a spark arresting device properly installed, maintained and in effective working order meeting either the U.S. Dept. of Agriculture, Forest Service Standard 5100-1a; or appropriate Society of Automotive Engineers (SAE) recommended practice J335(b) and J350(a).

7. Sale, use and possession of fireworks, including permissible fireworks as defined in §12-28-101, C.R.S.

8. Off road use or parking of a motorized vehicle in an area that presents the possibility of sparks or exhaust heat igniting surrounding flammable vegetation.

9. Burning of trash, refuse or other debris.

Section 3. Violation of these restrictions may be punishable in accordance with the Town of Bayfield Municipal Code General Penalty, Section 1-5, with fines of not more than \$1,000 or by imprisonment for not exceeding one year or both.

Section 4. Effective Date. This Resolution shall take effect immediately.

Section 5. Safety Clause. The Board of Trustees hereby finds, determines and declares that this Resolution is promulgated under the general police power of the Town of Bayfield, that it is promulgated for the health, safety and welfare of the public, and that this Resolution is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained.

INTRODUCED, READ AND PASSED AS A RESOLUTION at a meeting of the Town of Bayfield Board of Trustees on the 12th day of June, 2018.

Mayor, Matthew Salka

ATTESTED:

Kathleen S. Cathcart, Town Clerk