

**ORDINANCE NO. 8
SERIES OF 2018**

**AN ORDINANCE OF THE TOWN OF CARBONDALE, COLORADO REVISING
CHAPTER 10 OF THE MUNICIPAL CODE TO ADD A NEW ARTICLE 12 TO
PROVIDE THE TOWN MANAGER AND BOARD OF TRUSTEES THE AUTHORITY
TO IMPOSE FIRE RESTRICTIONS AND BANS DURING TIMES WHEN FIRE
DANGER IS HIGH**

WHEREAS, a threat of fire in the Town of Carbondale (the "Town") and surrounding areas can arise due to weather, natural fuel, and other environmental conditions, including a lack of precipitation; and

WHEREAS, open fires and open burning can be a primary cause of wildfires in the Town and surrounding areas; and

WHEREAS, in the exercise of its general police powers, the Town has the power to control and limit fires, including but not limited to the prohibition, banning, restriction, or other regulation of fires; and

WHEREAS, the emergency nature of high fire danger makes the timely issuance of restrictions and/or a ban on open burning critical to the safety of the community; and

WHEREAS, weather and fire conditions can change rapidly and may require immediate action by the Town to reduce the risk of wildfire; and

WHEREAS, Town staff recommends that the Town Manager and Board of Trustees be given the authority to immediately impose restrictions and/or a complete ban on open burning when, upon consultation with the Carbondale & Rural Fire Protection District, it is determined that fire danger is high; and

WHEREAS, for the foregoing reasons, the Board of Trustees finds and determines that the enactment of the regulation set forth herein is in the interest of the public health, safety, and welfare of the residents of the Town of Carbondale.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF CARBONDALE, COLORADO that the Town of Carbondale Municipal Code shall be amended as follows:

1. A new Article 12, Fire Restrictions, shall be added to Chapter 10 of the Town of Carbondale Municipal Code. The new Article 12 shall read as follows:

Sec. 10-12-10. Fire Restrictions.

Whenever the Board of Trustees or Town Manager finds that there is high fire danger, the Board of Trustees or Town Manager may impose fire restrictions and/or a ban for such periods of time and under such actions as deemed necessary in consultation with the Carbondale & Rural

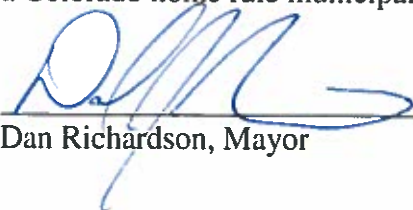
Fire Protection District. Notice of the restrictions and/or ban shall be published as soon as practicable on the official website of the Town, and the ban shall become effective on the day following the publication of notice on the official website of the Town. If imposed solely by the Town Manager, he/she shall provide notice of the fire restrictions and/or ban to the Board of Trustees at its next regular meeting. The Board of Trustees or Town Manager shall determine, in consultation with the Carbondale & Rural Fire Protection District, when environmental conditions have changed such that the fire restrictions and/or ban are no longer necessary. As soon as practicable after the Board of Trustees or Town Manager terminates the fire restrictions and/or ban, notice shall be published on the official website of the Town.

2. Any violation of the terms of this Ordinance shall be subject to prosecution pursuant to Article 4, Chapter 1 of the Municipal Code.

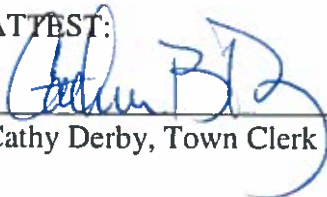
3. This Ordinance shall be effective upon posting and publication in accordance with the Carbondale Home Rule Charter.

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

POSTED: 6/12/18
PUBLISHED: 6/21/18
EFFECTIVE: 7/21/18

