

CHAPTER 3

**GOVERNMENT - COUNTY**

**HOUSE BILL 02S-1018**

BY REPRESENTATIVE(S) Daniel, Coleman, Jahn, Vigil, Ragsdale, Weddig, Borodkin, Boyd, Groff, Mace, Madden, Marshall, Romanoff, Tapia, and Veiga;  
also SENATOR(S) Arnold, Epps, Fitz-Gerald, Hanna, Hernandez, Isgar, Linkhart, Nichol, Pascoe, Phillips, and Tupa.

**AN ACT**

**CONCERNING AN EXPANSION OF THE POWERS OF LOCAL GOVERNMENTS TO MITIGATE THE EFFECTS OF WILDFIRES BY CONTROLLING THE SALE OF FIREWORKS IN COUNTIES.**

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** 30-15-401 (1) (n.5), Colorado Revised Statutes, is amended to read:

**30-15-401. General regulations.** (1) In addition to those powers granted by sections 30-11-101 and 30-11-107 and by parts 1, 2, and 3 of this article, the board of county commissioners has the power to adopt ordinances for control or licensing of those matters of purely local concern which are described in the following enumerated powers:

(n.5) To ban open fires to a degree and in a manner that the board of county commissioners deems necessary to reduce the danger of wildfires within those portions of the unincorporated areas of the county where the danger of forest or grass fires is found to be high, based on competent evidence. ~~except that no ban under this paragraph (n.5) shall affect the sale of fireworks;~~ THE BAN ON OPEN FIRES IN ACCORDANCE WITH THE REQUIREMENTS OF THIS PARAGRAPH (n.5) MAY INCLUDE A PROHIBITION ON THE SALE OF FIREWORKS WITHIN THOSE PORTIONS OF THE UNINCORPORATED AREAS OF THE COUNTY WHERE THE DANGER OF FOREST OR GRASS FIRES HAS BEEN FOUND TO BE HIGH BASED ON COMPETENT EVIDENCE.

**SECTION 2. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: July 18, 2002

*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*