

CHAPTER 147

GOVERNMENT - COUNTY

SENATE BILL 95-218

BY SENATORS Schroeder, Feeley, Hopper, and Tebedo;
also REPRESENTATIVES Agler, Acquafresca, Prinzler, Schwarz, Sullivant, and Taylor.

AN ACT**CONCERNING COUNTY ORDINANCE AUTHORITY OVER FIRES.**

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

SECTION 1. 30-15-401 (1), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW PARAGRAPH 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;

SECTION 2. 30-11-107 (1) (o.5), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is repealed as follows:

30-11-107. Powers of the board. (1) The board of county commissioners of each county has power at any meeting:

(o.5) ~~To ban open fires within the unincorporated areas of the county when the danger of forest or grass fires is found to be high;~~

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

SECTION 3. 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: May 22, 1995