

**RESOLUTION NO. 2025-09-08**

**REINSTATING A STAGE ONE FIRE BAN/RESTRICTION,  
EFFECTIVE THURSDAY, SEPTEMBER 11, 2025 AT 12:01AM,  
PURSUANT TO ORDINANCE 20**

On August 19, 2025, and by Resolution No. 2025-08-131, the Board declared a Stage Two Fire Ban/Restriction, effective August 20, 2025 at 12:01AM, for thirty (30) days from the effective date and time at which time it shall automatically repeal without further Resolution, or at an earlier date if deemed appropriate by the Board of County Commissioners by further Resolution of the Board.

On June 7, 2022, the Board adopted Amended and Restated Ordinance No. 20, effective July 16, 2022.

Ordinance No. 20 is incorporated herein by reference as if set forth in full herein.

Ordinance No. 20, in part, establishes fire restrictions on open fires under certain conditions and provides a procedure for reinstating and rescinding any or all of the restrictions set forth therein from time to time by resolution, and establishes criminal penalties for the violation thereof.

C.R.S. §30-15-401(1)(n.5) authorizes the Board to ban open fires within those portions of the unincorporated areas of Grand County where the danger of forest or grass fires is found to be high based on competent evidence. "Competent evidence" may include, but is not limited to, the use of the national fire danger rating system and any other similar indices or information.

"Open burning" and /or "open fires" can be a prime cause of forest and brush fires in Grand County.

Factors evidencing high danger of forest or grass fires is subject to rapid change.

The Board has considered competent evidence regarding the underlying, on-going dangers of forest or grass fires in Grand County.

The Board has determined that the public health, safety and welfare will be best served by reinstating a Stage One ban on open fires in excess of a defined size of the active fire of three feet in diameter and flame height of two feet.

Any ban on open fires shall be instated whenever and only whenever the Board determines, based on competent evidence, that the danger of fire or forest fire or grass fire is high.

The Board further finds, based upon competent evidence, the danger of widespread or severe damage, harm or injury to life or property may necessitate immediate action to avoid such damage, harm or injury and protect the health, safety and welfare of the citizens of Grand County.

The Board finds that passage of this Resolution in accordance with Ordinance No. 20 is necessary to protect against human-caused fires.

The Grand County Sheriff recommends instituting a preplanned ban on open burning in Grand County rather than on an emergency basis, and the Board has found that the danger of forest or grass fires based on competent evidence, meteorological trends and other information, is indeed high.

The Board finds, based upon competent evidence, including the recent weather conditions, fuel moistures, preparedness levels and the potential for destructive forest or grass fires in Grand County and the western region, that there exists the imminent threat of widespread or severe damage, injury or loss of life or property resulting from fire which requires action to avert danger or damage, and a fire danger emergency exists within Grand County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Grand, State of Colorado that the following be and is hereby approved at a regular meeting, properly noticed and held on September 9, 2025:

THAT A DECLARATION OF STAGE ONE FIRE RESTRICTIONS IS HEREBY INSTATED. A Stage One fire restriction is designed to reduce fire risk and prevent wild fires during periods of high fire danger and includes prohibitions of the following:

1. "Burning," "open burning" and/or "open fires" means building, maintaining, attending or using any fire including: campfires, recreational fires, cooking fires, portable outdoor fires, bonfires, or warming fires.
2. Smoking, except within an enclosed vehicle or building, a developed recreation site, or while stopped in an area of at least six feet in diameter that is barren or cleared of all combustible material. (2009 IFC 320.8).
3. Operating a chain saw unless it has a U.S.D.A. or SAE approved spark arrestor properly installed and in effective working order.
4. Welding or operating acetylene torch or other torch with open flame, except in cleared areas of at least 10-feet in diameter and in possession of a chemical pressurized fire extinguisher.
5. Except as provided in the list of specific exclusions below, the use of "Incendiary devices" as defined in Grand County Ordinance No. 20, which provides:

**"Incendiary devices" means any fused explosives, exploding ammunition, exploding targets, tracer ammunition, fireworks, permissible fireworks, model rockets, or sky lanterns. This includes any object that is combustible, flammable, explodes or is designed to or may cause fire.**

FURTHER, excluded from this Resolution are the following fire and burning activities:

1. Permissible Fireworks as defined by C.R.S. §24-33.5-2001(5) and (11). Any person in possession of fireworks in compliance with C.R.S. §24-33.5-2001, *et seq.* shall not be in violation of this Resolution.
2. Use of liquid or gas fueled appliances.
3. Use of wood pellet grills and stoves.
4. Use of permanent or portable outdoor fireplaces, fire pits, chimineas, barbeque pits, or charcoal barbeque grills at private residences or in a developed park, campground, or picnic area.
5. Permitted fires by persons with a permit specifically authorizing the prohibited act, such as professional firework displays.
6. Fire Department/District training fires.
7. Burning of explosive wastes by manufacturer or explosives in areas zoned for industrial use, when the burning is supervised by the fire protection district.
8. Open fires or open burning by any federal, state or local fire official in the performance of fire suppression functions.
9. Fires used to inflate commercial hot air balloons.

FURTHER, Ordinance No. 20 and this Resolution may be enforced by the Grand County Sheriff's Office and any other Peace Officer with authority in Grand County, Colorado.

Penalties:

1. Any person who knowingly, recklessly or carelessly violates a Fire Restriction/Ban issued under this Ordinance commits a civil infraction as classified and allowed under C.R.S. § 30-15-402, *et seq.*, and upon a finding thereof, shall be punished by a

fine of not more than One Thousand and 00/100 Dollars (\$1,000.00) for each separate offense, or the maximum fine allowed per statute, whichever is less.

2. The penalty assessment procedure provided in C.R.S. §16-2-201 may be followed when enforcing the provisions of Ordinance No. 20 and this Resolution. If a penalty assessment ticket is issued, the fines imposed shall be One Thousand and 00/100 Dollars (\$1,000.00) for each offense.

3. In addition to the penalty described in the Ordinance, persons convicted of a violation of this Ordinance are subject to a surcharge of Ten and 00/100 Dollars (\$10.00). This surcharge shall be paid to the Clerk of the Court by the defendant. The Clerk shall transmit the moneys to the Court Administrator of the judicial district in which the offense occurred for credit to the victims and witness assistance and law enforcement fund established within the 14th Judicial District pursuant to C.R.S. § 24-4.2-103. Any other fees required by statute shall be assessed in addition.

4. Anyone starting, maintaining, or permitting burning, open burning and/or open fires in violation of this Ordinance shall be responsible for all costs associated with extinguishing the fire and for all damages caused as a result of the fire.

FURTHER, the effective date of this Resolution shall be Thursday, September 11, 2025, at 12:01AM and shall be effective for 30 days from the effective date at which time it shall automatically repeal without further Resolution, or at an earlier date if deemed appropriate by the Board by further Resolution of the Board.

FURTHER, the Stage Two Fire Ban/Restriction instated by Resolution No. 2025-08-131 be and is hereby rescinded as of midnight, September 10, 2025.

FURTHER, if any part or parts of this Resolution are for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Resolution. The Board hereby declares that it would have passed this Resolution and each part or parts thereof, irrespective of the fact that any one part or parts be declared invalid.

BOARD OF COUNTY COMMISSIONERS OF  
THE COUNTY OF GRAND, STATE OF  
COLORADO



Randal F. George, Chair

The vote on the above Resolution was as follows:

Commissioner Edward Raegner	<u>AYE</u>
Commissioner Merrit S. Linke	<u>AYE</u>
Commissioner Randal F. George	<u>AYE</u>

ATTEST:

  
Clerk of the Board