

Gilpin County **FIRE BAN** Stage 2

There is **NO OPEN BURNING** of any kind allowed anywhere in Gilpin County. This includes recreational fires, bon fires, slash piles, charcoal grills and agricultural burning regardless of location. **ONLY** liquid gas or propane fueled cooking stoves will be allowed for outdoor use.

The Sheriff is authorized to establish restrictions/ban for burning on days that have been designated fire weather watch days, red flag warning days, high wind watch days and high wind warning days. These days are determined by the National Weather Service using Fire Weather Zone Forecast data for zones 212, 215 and 216 <https://www.weather.gov/bou/firewxfcstmap>.

No building, maintaining, attending, or using a fire, campfire, coal or any type of charcoal fueled broiler or open fire of any type;

No smoking, except within an enclosed vehicle or building;

No shooting or discharging firearms for recreational purposes on public or private lands, except for hunting with a valid and current hunting license;

No using explosive material: i.e. fireworks, blasting caps or any incendiary device which may result in the ignition of flammable material;

No welding or operating an acetylene or other similar torch with open flame, except in enclosed areas;

No operating or using any internal combustion engine, i.e., chainsaw, without a USDA or SAE-approved spark arrester device properly installed, maintained and in effective working order. A chemical pressurized fire-extinguisher of not less than 8 ounces capacity by weight must be kept with the operator, and at least one round-point shovel with an overall length of at least 36 inches must be readily available for use;

DEFINITIONS

FIREWORKS: As defined in section C.R.S. § 24-33.5-2001(5), and shall specifically include permissible fireworks as defined in section C.R.S. § 24-33.5-2001(11).

LIQUID OR GAS FUELED APPLIANCES: Appliances such as fire pits, grills, camp stoves, and Tiki torches that burn liquid or gaseous fuels and can be shut off. This does not include any device that burns solid fuels such as wood or charcoal and which must be extinguished.

OPEN FIRE AND OPEN BURNING: Any outdoor fire larger than a recreational fire and not contained within a portable outdoor fireplace. This includes but is not limited to campfires, bonfires, warming fires, the lighting of any fused explosives, permissible fireworks, the use of model rockets, lanterns, and the

burning of fence lines or rows, grasslands, fields, farm lands, ditches, rangelands, and wild lands. Permits from the fire district are required for open fires.

PORTABLE OUTDOOR FIREPLACE: A commercially purchased portable, outdoor, solid-fuel-burning fireplace that may be constructed of steel, concrete, clay, or other non-combustible material. A portable outdoor fireplace may be open in design, or may be equipped with a small hearth opening and a short chimney or chimney opening at the top. These devices must be operated according to the manufacturer's instructions with all covers, screens, spark arresters, and grates in place. Portable outdoor fireplaces shall not be operated within 20 feet of a structure and have a 3-foot non-combustible perimeter surrounding the fire.

RECREATIONAL FIRE: An outdoor fire burning material other than rubbish or debris, i.e. clean dry wood, where the fuel being burned is not contained in a portable outdoor fireplace, or barbecue grill and has a total fuel area of 3 feet or less in diameter and 3 feet or less in flame height for pleasure, religious, ceremonial, cooking, warmth or similar purposes. This includes fires in fixed, permanent outdoor fireplaces; and barbecue pit fires. Recreational fires shall not be constructed within 20 feet of a structure and have a 3-foot non-combustible perimeter surrounding the fire.

BONFIRE: Any fire that exceeds the size limitation and height of a recreational fire.

UNDEVELOPED AREAS: Lands that are not groomed, manicured, or watered, where grasses, brush and trees have been allowed to grow in a natural environment. This includes green belts that are not landscaped or manicured, open space lands, non-manicured park lands, and other areas where the fire hazard presented by the vegetation is determined to be an undue wildland fire hazard.

WELDING AND CUTTING TORCH APPLIANCES: Gas cylinder mixtures, electric and/or portable powered welders and cutting appliances which produce heat, flame, sparks, molten metal slag, etc. violations of these prohibitions, upon conviction, is punishable by a fine of not more than \$600.00.

PERMANENT FIRE RING: A fire ring is designed to contain a fire that is built directly upon the ground, such as a campfire. Fire rings have no bottom, and are simply circles made of forged metal, stones, concrete, etc. which surround and contain a fire.

NON-COMBUSTIBLE MATERIAL: A material that, under the conditions anticipated, will not ignite or burn when subjected to fire or heat. Examples: Stone, rock, gravel, concrete, asphalt, steel and bare mineral soil devoid of vegetation.

Enforcement

Failure to comply with this Order is subject to penalties contained in C.R.S. § 25-1-516 and C.R.S. § 18-1.3-501 including a fine of up to five thousand dollars (\$5,000) and imprisonment in the County Jail for up to eighteen (18) months. Additionally, the attached Colorado statute CRS 13-21-105 provides further incentive to not violate the ban or cause a fire. A person violating our fire ban would be either strictly

liable or per se negligent and liable under this statute. Any person violating the fire ban causing a fire would be liable for the actual damages to anyone injured include personal or real property damage or loss of life and the costs to any fire department, district or other emergency responders or resources responding to the incident. Costs of fighting fire can easily exceed \$1M in the first day alone.

Exemptions:

A wood burning stove may be used as long as it is contained within a permanent structure.

Any Federal, State or local officer or member of an organized rescue or firefighting force in the performance of an official duty;

Mechanical stoves and appliances for the sole use of cooking that are fueled by bottled or liquid gas which allow the operator to control and extinguish the flame with a shut off-valve