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Debra A Green
Park County Clerk

**PARK COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS**

Resolution No. 2021- 22

A RESOLUTION SPECIFYING THAT THE BAN ON THE SALE, USE AND POSSESSION OF FIREWORKS IN PARK COUNTY REMAINS IN EFFECT BETWEEN JUNE 2 AND JULY 5, 2021.

WHEREAS, the Park County Board of County Commissioners (hereinafter the "Board"), pursuant to section 30-11-107(1)(a) and section 30-15-401, *et seq.*, C.R.S., has the general enabling power to adopt ordinances, resolutions, rules and other regulations as may be necessary for the control or licensing of those matters of purely local concern, and to do all acts which may be necessary or expedient to promote the health, safety, and welfare of the citizens of Park County; and

WHEREAS, sections 30-15-401(l)(n.5) and 30-15-401(1)(n.7), C.R.S., authorize the Board to adopt an ordinance banning open fires to a degree and in a manner that the Board deems necessary to reduce the danger of wildfires within Park County where the danger of forest or grass fires is found to be high, and to ban the sale of fireworks; and

WHEREAS, pursuant to Ordinance No. 19-01, or such fire ban ordinance adopted thereafter, there remains in place a prohibition on the restriction, sale, use and possession of fireworks, including permissible fireworks, as defined in section 24-33.5-2001; and

WHEREAS, section 30-15-401(1)(n.7), C.R.S., authorizes the Board to adopt a resolution specifying that a previously enacted firework restriction remain in effect for the period between May 31 and July 5 of any year upon an express finding of high fire danger based on competent evidence; and

WHEREAS, the Board finds based on the national fire danger rating system, predictions of future fire danger issued by the national interagency coordination center or its successor entity, localized evidence of low fuel moisture content, and other indices, concurrence of forest management personnel and other competent evidence that a high to extreme fire danger exists in Park County and that the Board should take immediate action to continue the ban on the sale, use and possession of fireworks in Park County; and

WHEREAS, the Board finds, based upon the competent evidence as recited herein, that the danger of forest and grass fires in Park County is periodically high, and therefore, it becomes necessary for the preservation of the public health, safety and welfare of the citizens of Park County to impose a restriction on all firework sales, usage, and possession within Park County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF PARK, STATE OF COLORADO THAT:

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1. The existing prohibition on the sale, use, and possession of fireworks shall remain in effect for the period between June 2 and July 5 of the year 2021.
2. Should a change in the weather occur resulting in competent evidence that the high fire danger is no longer present and no longer will be present during the period between June 2 and July 5, the Board shall endeavor to promptly consider rescinding this Resolution.
3. This Resolution shall be enforced by the Park County Sheriff's Office and violations hereof shall be punished in accordance with the terms of Park County Ordinance No. 19-01, or such fire ban ordinance adopted thereafter.
4. This Resolution is necessary for the preservation of the public health, safety and welfare due to the high to extreme fire danger in Park County and shall take effect at 12:01 a.m. on Wednesday, June 2, 2021, and shall remain in effect until the fire ban has been rescinded.

Moved, seconded, and passed this 1st day of JUNE, 2021.

PARK COUNTY BOARD OF COUNTY COMMISSIONERS

Richard Elsner, Chairperson

ATTEST:

County Clerk
Debra A Green

