

RESOLUTION 2018-005

RESOLUTION CONSENTING TO THE APPLICATION AND ENFORCEMENT WITHIN THE BOUNDARIES OF THE TALLAHASSEE FIRE PROTECTION DISTRICT, OF FREMONT COUNTY ORDINANCE 2012-1, AN ORDINANCE RESTRICTING OPEN FIRES AND OPEN BURNING IN THE UNINCORPORATED AREAS OF FREMONT COUNTY AND ESTABLISHING A PERMITTING REQUIREMENT FOR SLASH PILE BURNING

WHEREAS, the boundaries of the Tallahassee Fire Protection District lie entirely within the unincorporated parts of Fremont County; and

WHEREAS, the on June 26, 2012, the Board of County Commissioners for Fremont County approved and adopted Fremont County Ordinance No. 2012-1, which restricts open fires and open burning in the unincorporated areas of Fremont County and establishes a permitting requirement for slash pile burning, as the same is defined in Ordinance No. 2012-1; and

WHEREAS, the language of Ordinance 2012-1 and §30-15-401, CRS, provides that no county ordinance shall apply within the jurisdictional boundaries of any special district if such application would duplicate or interfere with any service or facility authorized and provided by such special district or contravene any power authorized and exercised by such special district; and

WHEREAS, the Tallahassee Fire Protection District and the County are authorized to agree through intergovernmental agreement to allow Ordinance 2012-1, or portions thereof, to apply within the boundaries of the special district and to be enforceable in such areas; and

WHEREAS, it is beneficial for the citizens of the District and of Fremont County to have uniform application of laws and regulations that govern open fires and open burning, to eliminate confusion and inequitable enforcement and punishment of similar actions; and

WHEREAS, the Board of Directors is amenable to entering into an intergovernmental agreement with Fremont County to allow application and enforcement of Ordinance 2012-1 within the unincorporated areas of Fremont County that also lie within the boundaries of the Canon City Area Fire Protection District.

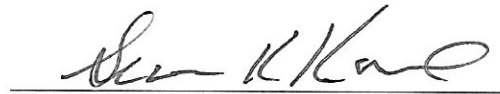
NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE TALLAHASSEE FIRE PROTECTION DISTRICT that the Fire Chief is hereby authorized and instructed to negotiate an intergovernmental agreement with Fremont County and the Sheriff of Fremont County to specify terms and conditions regarding the application and enforcement of Fremont County Ordinance 2012-1 within the incorporated areas of Fremont County that also lie within the boundaries of the Canon City Area Fire Protection District. Said agreement may be brought back before the Board of Directors for final approval, if in the Fire Chief's discretion, Board approval would be desirable.

Date: 6/21/18

ATTEST:



President



Secretary

