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August 31, 2020 Administrative Order Implementing Stage 2 Fire Restrictions

To all persons take notice:

After consultation with the Chief of the Poudre Fire Authority, I have determined that the totality of the circumstances, including, but not limited to, current weather conditions, long- and short-term weather forecasts, lack of precipitation, fire restrictions in neighboring communities, regional fires and/or fires in close proximity to the City, live and dead fuel moisture levels, energy release components, atmospheric conditions, degraded air quality, and limited availability of suppression resources, have created a potential threat of fire hazards within the City and am therefore imposing Stage 2 fire restrictions pursuant to City Code Section 9-26.

1. Purpose, Effective Area. This Administrative Order applies within the boundaries of the City of Fort Collins. This Administrative Order is supplemental to all applicable County and State fire restrictions and is not meant to supersede or replace such orders. In the case of a conflict between any applicable City, County and State fire restriction orders, the strictest order shall prevail.

2. Effective Date and Time, Limitations. This Administrative Order shall take effect immediately and shall remain in effect until rescinded by a similar order.

3. Definitions.

Fireworks shall mean "fireworks" as defined in Section 3302.1 of the 2006 International Fire Code adopted and amended in Article II of Chapter 9 of the City Code.

Open fire or open burning shall mean any outdoor fire, including, but not limited to, campfires, warming fires, the lighting of any fused explosives and fireworks of any kind or brand, the lighting of model rockets, and the burning of fence lines or rows, grasslands, fields, farm lands, rangelands, wildlands, trash and debris. *Open burning* shall not include:

- (1) fires in liquid-fueled or gas-fueled stoves, grills or fireplaces;
- (2) fires in wood-burning fireplaces that are contained within buildings;
- (3) fires in charcoal grills at private one- and two-family residences;
- (4) commercial, professional and municipal fireworks displays where specific written approval has been granted by the Fire Code Official; and



(5) prescribed or controlled burns for agricultural or irrigation purposes along ditches located within and completely surrounded by irrigated farmlands where such burning is necessary for crop survival and specific written approval has been granted by the Fire Code Official.

4. Restricted Activities.

The following activities are **prohibited** under this Administrative Order:

- (1) open burning of any kind without a permit from the Poudre Fire Authority;
- (2) open discarding of cigarettes and smoking materials;
- (3) welding or the operation of torches with open flame in outdoor areas, including public parks, greenbelts, open spaces and trail systems without a permit;
- (4) operating or using any internal combustion engine (e.g., chainsaw) without a spark arresting device properly installed, maintained and in effective working order; and
- (5) operating any pest control equipment which relies upon the ignition of flammable gases or liquids.
- (6) open burning of any kind;
- (7) charcoal grill fires within developed residential or commercial areas;
- (8) burning of explosive wastes by the manufacturer of explosives in areas zoned for industrial use, when the burning is supervised by a fire protection district;
- (9) use of or fires in chimneys, other portable fireplaces or patio fire pits (which are not liquid- or gas-fueled); and
- (10) campfires at developed campgrounds or picnic areas.

5. Permitted Activities.

The following activities are **permitted** during this Administrative Order:

- (1) fires within liquid-fueled or gas-fueled appliances, including fire pits, grills, and camp stoves;
- (2) use of all fireplaces and wood-burning stoves within buildings;

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(3) fire department training fires;

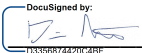
(4) open fires or open burning by any federal, state or local officer or member of an organized fire protection district or department in the performance of official fire suppression functions; and

(5) wood-, gas- or liquid-fueled commercial cooking or smoking appliances when used for commercial food preparation after review and approval of the Fire Code Official.

6. Enforcement. This Administrative Order shall be enforced by the Chief of Police, City police officers, and the Fire Code Officials as defined in the International Fire Code adopted by the City.

7. Violation and Penalties. It shall be unlawful for any person to start, build, maintain, attend or use an open fire or conduct open burning in violation of the prohibitions in this Administrative Order within the City, including public, private, state and federal lands, while such restrictions are in effect. Any person that violates this Administrative Order commits a criminal misdemeanor offense and is subject to the criminal penalties in Fort Collins Municipal Code Section 1-15(a), which, upon conviction, may subject the violator to a fine that does not exceed \$3,000 or imprisonment not to exceed 180 days, or both, in addition to any costs which may be assessed.

DATED August 31, 2020.

DocuSigned by:

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Darin A. Atteberry, City Manager