

**AN AMENDED MAYORAL DECLARATION DECLARING THAT CONDITIONS OF
EXTREME FIRE HAZARD EXIST WITHIN THE TOWN OF BRECKENRIDGE; AND
IMPOSING TEMPORARY RESTRICTIONS TO REDUCE THE CHANCE OF
WILDFIRE**

Background and Need

Extremely dangerous weather conditions currently exist within Summit County, Colorado, specifically including high temperatures and dry conditions, and such weather conditions and circumstances pose a real threat of wildfires occurring within the Town of Breckenridge.

The Board of County Commissioners of Summit County, Colorado have recently declared a “fire hazard emergency” for unincorporated Summit County, and have enacted “Stage 2 Fire Restrictions.” Such action is further evidence of the extremely dangerous conditions that currently exist within Summit County, including the Town of Breckenridge.

Section 5-5-5-1 of the Breckenridge Town Code empowers the Mayor of the Town of Breckenridge, upon a finding that conditions of extreme fire hazard exist within the Town, by declaration to: (i) close such Town owned land as he or she may find to be in such condition of extreme hazard to the general public; (ii) prohibit or limit burning or other acts on public or private lands within the Town to such a degree and in such ways as he or she deems necessary to reduce the danger of forest fire; and (iii) temporarily modify or eliminate the exemptions described in Section 5-5-4 of the Town Code.

Finding

I find and determine that conditions of extreme fire hazard currently exist within the Town of Breckenridge.

Declaration

Now, Therefore, I, Eric S. Mamula, Mayor of the Town of Breckenridge, Colorado declare as follows:

Section 1. Declaration of Fire Hazard Emergency. A fire hazard emergency is declared to exist within the Town of Breckenridge, Colorado.

Section 2. Fire Restrictions Imposed. Fire restrictions within the Town of Breckenridge are declared strictly prohibiting and making it unlawful for a person to engage in any activity that poses a significant risk of starting a wildfire, including without limitation:

- A. Building, maintaining, attending or using any fire or campfire, coal, or wood burning stove, including but not limited to, commercially designed and manufactured outdoor fireplaces, candles, luminaries and tiki torches.
- B. Selling, or offering for sale, any firewood or charcoal.

- C. Smoking in any forested/unimproved natural areas, or upon the outdoor premises of the Town of Breckenridge municipal golf course.
- D. Disposing out of doors any burning object, including without limitation cigarettes, cigars, or matches.
- E. Operating a chainsaw without an approved spark arrester, 5 gallons of water, a 2A10BC classified dry chemical fire extinguisher and a round point shovel with an overall length of at least 36 inches. The fire extinguisher must be immediately accessible to the equipment operator. The water and shovel may be kept with fueling supplies but must be readily available for use.
- F. Welding, or operating acetylene or other torch with open flame.
- G. Inflating and propelling hot air balloons.

Section 3. Exceptions. Except as may otherwise be provided in the Executive Order, or other applicable law, rule or regulation, the following activities are permitted within the Town of Breckenridge:

1. Welding by a person possessing a current permit, contract or letter of authorization from the Summit County Sheriff and any other entity within whose jurisdiction or on whose property the activity is proposed including municipalities, fire districts, metropolitan district, resort, private property owner or the United States Forest Service when the subject welding area is barren or cleared of all flammable materials at least ten feet on all sides from equipment.
2. Fires contained within liquid-fueled or gas fueled stoves.
3. Smoking within an enclosed vehicle, trailer, building or tent.
4. Engaging in any activity by persons with a permit or letter of authorization from the Summit County Sheriff and any other entity within whose jurisdiction or on whose property the activity is proposed including municipalities, fire districts, metropolitan district, resort, private property owner or the United States Forest Services that specifically authorizes the prohibited act or omission.
5. Fires in fireplaces or stoves within all buildings.
6. Fires caused or administered by any Federal, State, or local officer or member of an organized rescue or firefighting force in the performance of an official duty.

Section 4. Exemptions in Section 5-5-4 Temporarily Suspended. To the extent inconsistent with this Amended Declaration, the exemptions to the Town's permanent ban on open burning set forth in Section 5-5-4 of the Breckenridge Town Code are suspended for the duration of this Amended Declaration.

Section 5. Duration of Declaration. This Amended Declaration shall continue in full force and effect until I find and declare that the conditions of extreme fire hazard no longer exist within the Town.

Section 6. Enforcement. Pursuant to Section 5-5-5-1 of the Breckenridge Town Code it is unlawful and a misdemeanor offense for any person to violate the terms, conditions, and limitations of this Amended Declaration. The penalties and other remedies provided for in Section 5-5-6 of the Breckenridge Town Code applies to any violation of the terms, conditions, and limitations of this Amended Declaration.

Section 8. Notifications. By my signature to this Amended Declaration I certify that I will notify the other members of the Town Council of the Town of Breckenridge, and the Town Manager of the Town of Breckenridge, of my issuance of this Amended Declaration as required by Section 5-5-5-1 of the Breckenridge Town Code.

Section 9. Effective Date and Time. This Amended Declaration is issued and is effective this ____ day of July, 2018 at _____ o'clock __. M.

TOWN OF BRECKENRIDGE

By: _____
Eric S. Mamula, Mayor

ATTEST:

Helen Cospolich, CMC,
Town Clerk