

**CITY OF RIFLE, COLORADO
ORDINANCE NO. 21
SERIES OF 2017**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING
SECTION 10-10-40 OF THE RIFLE MUNICIPAL CODE PERTAINING TO
OPEN BURNING ON CITY OWNED AND MAINTAINED PROPERTY.

WHEREAS, the City of Rifle (“Rifle” or the “City”) is a home rule municipality organized under Article XX of the Colorado Constitution and with the authority of the Rifle Home Rule Charter; and

WHEREAS, Section 10-10-40 of the Rifle Municipal Code sets forth limitations on the open burning of fires on City owned and maintained property; and

WHEREAS, the Rifle City Council desires to amend Section 10-10-40 to further clarify the limitations on open burning within the City and to provide for the enforcement of County-wide fire bans within the City limits; and

WHEREAS, the Rifle City Council finds and declares that it is in the interest of the public health, safety, and welfare to amend Section 10-10-40 and, in doing so, ensure the orderly enforcement of open fires.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF RIFLE, COLORADO, ORDAINS THAT:

1. Incorporation of Recitals. The foregoing recitals are incorporated herein as if set forth in full.

2. Code Amendment. Section 10-10-40 of the Rifle Municipal Code is hereby amended to read as follows, with double underlined text added and ~~strike through language deleted~~:

Sec. 10-10-40. - Open burning prohibited.

(a) Open burning of fires, including the sale, possession or use of fireworks, is prohibited in the City ~~and Rifle Mountain Park~~ from Memorial Day to Labor Day each year.

(b) Notwithstanding the prohibition of Paragraph (a) of this Section, the following shall be allowed within the City:

(1) Recreational burning, as defined in this Article, Recreational burning on all City owned or maintained property is prohibited except in designated areas and within operational fire rings specifically provided for such purposes; or

(2) Burning done pursuant to the possession of a permit issued by the Rifle-Colorado River Fire Protection District ~~are the sole exceptions to the prohibition of open burning.~~ Permits may be applied for through the Rifle-Colorado River Fire Protection District, which shall analyze the application based upon the activity requested, the timeframe for

the activity and the fire conditions at that time. Permits shall be granted in accordance with the appropriate sections of the International Fire Code and must be kept on the premises designated therein, along with approved on-site fire-extinguishing equipment, available for inspection by fire officials.

- (c) Upon determining that the threat of wildfires for the City, Rifle Mountain Park and surrounding area has abated, and after consultation with the ~~Rifle~~-Colorado River Fire Protection District, the City Manager may by executive order release the prohibition on open burning. Notice of a release shall be provided to the City Council at its next meeting following the issuance of the executive order. Notice shall be provided to the community through posting in at least six (6) conspicuous public places within the City and, if applicable, at the information signs in Rifle Mountain Park and through public access television.
- (d) During periods of extreme fire danger, further restrictions, including prohibiting certain types of recreational burning, or an extension of the prohibition on open burning past Labor Day may be imposed by executive order of the City Manager, following consultation with the ~~Rifle~~-Colorado River Fire Protection District. Notice of further restrictions shall be provided to the City Council at its next meeting following the executive order. Notice shall be provided to the community through posting in at least six (6) conspicuous public places within the City and, if applicable, at the information signs in Rifle Mountain Park, and through public access television.
- (e) Temporary and emergency fire restrictions that are issued by Garfield County and applicable to all of Garfield County shall apply to the City of Rifle and violations will be subject to the provisions of 10-10-50.

3. Code Amendment. All references in the Rifle Municipal Code to the “Rifle Fire Protection District” shall be replaced to read “Colorado River Fire Protection District”.

INTRODUCED on July 19, 2017, read by title, passed on first reading, and ordered published by title as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado, held on August 2, 2017, passed without amendment, approved, and ordered published in full as required by the Charter.

Dated this 2nd day of August, 2017.

CITY OF RIFLE, COLORADO

BY: _____
Mayor

ATTEST:

City Clerk