

TOWN OF GYPSUM, COLORADO

RESOLUTION NO. 18 (SERIES 2020)

**A RESOLUTION CONFIRMING TOWN MANAGER ADMINISTRATIVE
ORDER NO. 2020-3 IMPOSING AMENDED STAGE I FIRE RESTRICTIONS**

WHEREAS, on July 2, 2020, under Gypsum Municipal Code, Chapter 104.5.1, the Town Manager issued Town Manager Order No. 2020-3 Imposing Stage I Fire Restrictions, which Order is attached hereto as Exhibit A and incorporated herein by reference; and

WHEREAS, based on consultation with the Fire Chiefs of the Gypsum Fire Protection District and the Greater Eagle Fire Protection District and the Eagle County Sheriff, and based on the mitigation of the fire danger within and near the Town of Gypsum and the value in obtaining public compliance of having generally consistent fire restrictions applied by Eagle County and the Town of Gypsum, the Town Manager found in Town Manager Order No. 2020-3 that it is reasonable and necessary to impose Stage I fire restrictions within the Town of Gypsum; and

WHEREAS, under Gypsum Municipal Code, Chapter 104.5.1, the Town Council must discuss the Town Manager's action taken in Town Manager Order No. 2020-3, and either confirm or rescind the Town Manager's action by resolution; and

WHEREAS, the Town Council concurs in the action taken by the Town Manager in Town Manager Order No. 2020-3 and desires to confirm the Town Manager's action.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Gypsum, Colorado, as follows:

1. Confirmation of Town Manager Order No. 2020-3. Pursuant to Gypsum Municipal Code, Chapter 104.5.1, Town Manager Order No. 2020-3 is hereby confirmed.
2. Severability. If any part, section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions.
3. Effective Date. This Resolution shall take effect and be enforced immediately upon its approval by the Town Council.

EXHIBIT A

TOWN MANAGER ORDER 2020-3

TOWN MANAGER ADMINISTRATIVE ORDER 2020-3

TOWN OF GYPSUM, COLORADO

IMPOSING AMENDED STAGE I FIRE RESTRICTIONS

WHEREAS, Gypsum Municipal Code, Chapter 104.5.1 allows the Town Manager to impose fire restrictions by signing an order stating the same; and

WHEREAS, based on consultation with fire managers and managers of federal lands, the Eagle County Sheriff has imposed Stage I fire restrictions within unincorporated areas of Eagle County; and

WHEREAS, based on consultation with the Fire Chiefs of the Gypsum Fire Protection District and the Greater Eagle Fire Protection District and the Eagle County Sheriff, and the based on the fire danger within and near the Town of Gypsum and the value in obtaining public compliance of having generally consistent fire restrictions applied by Eagle County and the Town of Gypsum, the Town Manager of the Town of Gypsum finds that it is reasonable and necessary to impose Stage I fire restrictions within the Town of Gypsum, consistent with those in effect within unincorporated areas of Eagle County.

NOW, THEREFORE, pursuant to the powers vested in the Town Manager by Gypsum Municipal Code 104.5.1, I hereby ORDER as follows:

1. **Imposition of Amended Stage I Fire Restrictions:** Stage I fire restrictions imposed within the Town of Gypsum by Town Manager Administrative Order 2020-2 as outlined in **Exhibit 1** attached and incorporated hereof are hereby amended as follows:

In the event that a Red Flag warning is issued by the National Weather Service while Stage I Fire Restrictions are in place, Stage 2 fire restrictions as described in **Exhibit 1** will automatically take effect until the Red Flag warning is lifted.

2. **Publication and Posting.** This Order and a public statement noting the prohibited activities set forth herein shall be published on the Town's website and posted at the Town Hall for so long as they remain in effect.

3. **Town Council Consideration.** A discussion of this Order shall be scheduled for the next regular meeting of the Gypsum Town Council, at which time it may either be confirmed or rescinded by resolution.

4. **GMC and IFC Amendment; Enforcement.** This Order shall be enforced as an amendment of Chapter 15.04, of the Gypsum Municipal Code and associated provisions of the International Fire Code, 2015 Edition, including but not limited to Chapters, 3, 35, and 56.

5. Exemptions. Any local, state, or federal officer, or member of an organized emergency operation (i.e. fire, search and rescue, law enforcement, etc.) is exempt from this Order in the performance of any official duty.

6. Effective Date; Term. The fire restrictions adopted herein shall be effective immediately and remain in effect until amended, rescinded, or reinstated by further order of the Town Manager, or Resolution of the Town Council.


Date: 7/7/2020 Signature: 

EXHIBIT A

Stage 1 Red Flag Restricted Activity		Stage 2 Red Flag Restricted Activity	
Developed Land	Note	Developed Land	Note
Open fires	Allowed in a constructed, permanent enclosure	Open fires	
Personal fireworks		Personal fireworks	
Portable outdoor fireplace	Allowed in areas with at least 15' of clearance to combustibles or if it uses LP or natural gas with a valve that can be turned off	Portable outdoor fireplace	Allowed if it uses LP or natural gas with a valve that can be turned off
Undeveloped* Land	Note	Undeveloped* Land	Note
Open fires		Open fires	
Personal fireworks		Personal fireworks	
Welding/hotwork	May be permitted with hotwork permit and may require a site inspection	Welding/hotwork	May be permitted with hotwork permit and may require site inspection
Portable outdoor fireplace	Allowed if it uses LP or natural gas with a valve that can be turned off	Portable outdoor fireplace	Allowed if it uses LP or natural gas with a valve that can be turned off
		Smoking	Allowed in enclosed vehicle or building
Explosives, including explosive targets		Explosives, including explosive targets	
Tracer Rounds		Tracer Rounds	
		Engine without spark arrestor	
Agricultural burn	May be conducted with permit	Agricultural Burn	May be conducted with permit
Campfire	Allowed in permanent steel fire enclosure within official campground, park or picnic area	Campfire	
Charcoal grill or fire	Allowed in permanent steel fire enclosure within official campground, park or picnic area	Charcoal grill or fire	

Undeveloped Lands: Lands that are not groomed, manicured, or watered, where grasses, brush and trees have been allowed to grow in a natural environment. This includes green belts that are not landscaped or manicured, open space lands, non-manicured park lands, and other areas where the fire hazard presented by the vegetation is determined to be an undue wildland fire hazard.

Portable Outdoor Fireplace: A portable outdoor, solid fuel burning fireplace that may be constructed of steel, concrete, clay or other non-combustible material and equipped with a screen or other approved spark arrestor. A portable outdoor fireplace may be open in design or may be equipped with a small hearth opening and a short chimney or chimney on top.



STAGE 1 - FIRE RESTRICTIONS



What is NOT ALLOWED?

ALL personal uses of Fireworks are prohibited



ANY fire not within a permanently constructed fire pit, ring, or grate on PUBLIC or PRIVATE land.



Fires contained within portable devices (chimineas, grills and tiki torches with no shut off valve) on undeveloped lands.



Smoking outdoors in an area that is not cleared of all combustible materials.



No explosive targets or incendiary (tracer) rounds. These are never allowed on Federal lands.



Using any internal or external combustion engine WITHOUT a spark-arresting device.

Welding or operating acetylene or other torch with open flame in an area that is NOT cleared of at least 10 feet in diameter and NOT in possession of a chemical pressurized fire extinguisher.

What IS ALLOWED?

Professional fireworks displays are allowed.



Fires contained within permanently constructed fire pit, ring or grate on PRIVATE land; or within a fee-charged PUBLIC recreational site, such as campgrounds.



Fires contained within liquid fueled or gas fueled stoves, lanterns or heating devices on PUBLIC or PRIVATE land.



Smoking within an enclosed vehicle, building, developed recreation site, or in an area that is cleared of all combustible materials.



Shooting or discharging firearms on PRIVATE land or at a PUBLIC Shooting Range.



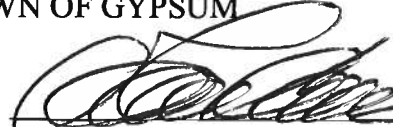
Using internal or external combustion engines WITH a spark-arresting device.

Welding or operating acetylene or other torch with open flame in cleared areas of at least 10 feet in diameter and in possession of a chemical pressurized fire extinguisher.

ADOPTED this 14th day of July, 2020.

TOWN OF GYPSUM

By



Stephen M. Carver, Mayor

Attest:


Danette Schlegel, Town Clerk