

CITY OF LEADVILLE, COLORADO
RESOLUTION 16
Series of 2012

A RESOLUTION OF THE CITY OF LEADVILLE, COLORADO
CONSENTING TO THE APPLICATION AND ENFORCEMENT OF THE LAKE COUNTY FIRE BAN
WITHIN THE CORPORATE LIMITS OF THE CITY OF LEADVILLE

WHEREAS, C.R.S. §30-15-401(1)(n.5) authorizes the Board of County Commissioners of Lake County to ban open fires within the unincorporated areas of Lake County when the danger of fire is found to be high; and

WHEREAS, pursuant to Resolution No. 12-16, the Lake County Board of County Commissioners declared a State II fire hazard, AND imposed a ban on open fires effective as June 26, 2012; and

WHEREAS, conditions of extreme fire hazard now exist in Lake County including properties in and around the City of Leadville; and

WHEREAS, by the express language of C.R.S. §30-15-401(8), a County fire ban is not applicable or enforceable within the corporate limits of a municipality; and

WHEREAS, C.R.S. § 30-15-401(8) provides that a county resolution adopted in accordance with the authority of such section may be made applicable to and enforceable within the corporate limits of a municipality in the event that the governing body of the municipality "consents" to such applicability and enforcement within the corporate limits of the municipality. Further, such state law provides that, if the municipality so consents, the application and enforcement of such county resolution shall be uniform within the municipality and in the applicable unincorporated areas of the county, unless the county and the municipality agree otherwise pursuant to an intergovernmental agreement; and

WHEREAS, the City Council for the City of Leadville desires to implement the authority provided by C.R.S. § 30-15-401(8) and consent to the application and enforcement of the Lake County fire ban, effective as of June 29, 2012, within the limits of the City of Leadville.

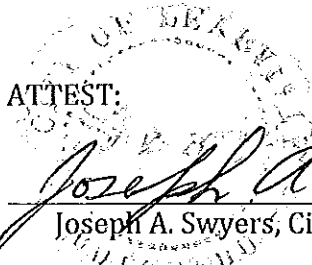
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Leadville, as follows:

Section 1. The City of Leadville consents to the application of the Lake County Fire Ban, Stage 2, within the City of Leadville as specified in Lake County Resolution Number 16, Series 2012.

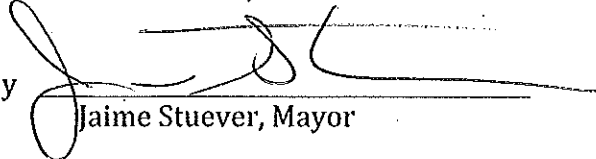
◇ **Section 2.** Any temporary suspensions or other similar administrative changes or decisions made in the administration of the fire ban by Lake County shall also be observed within the City of Leadville without need for further action by the City.

Section 3. This Resolution shall be effective upon adoption and shall remain in effect until repealed or amended by the City Council.

ADOPTED by a vote of 5 in favor, 0 against, and 2 absent this 29th day of June, 2012.

ATTEST:

Joseph A. Swyers
Joseph A. Swyers, City Clerk

CITY OF LEADVILLE, COLORADO

By 
Jaime Stuever, Mayor