

**CITY OF LEADVILLE, COLORADO
RESOLUTION 11
Series of 2016**

**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, the Lake County Board of County Commissioners declared a Stage I fire restriction, AND imposed a ban on open fires effective as July 15, 2016; 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 July 15, 2016, 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 I, within the City of Leadville as specified in the administration of the fire ban by Lake County, a copy of such fire ban is attached hereto as **Attachment A**.

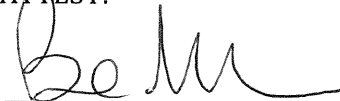
Section 2. Any temporary suspensions or other similar administrative changes or decisions made in the administration of the fire ban by Lake County including but not limited to a more restrictive fire ban imposed in 2016 shall also be observed within the City of Leadville without need for further action by the City Council.

Section 3. This Resolution shall be effective upon adoption and shall remain in effect until repealed or amended by the City Council, or until November 1, 2016, whichever occurs first.

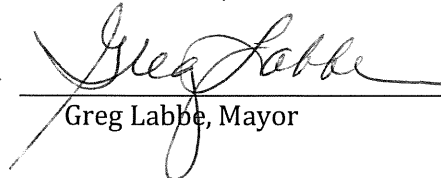
ADOPTED by a vote of 6 in favor, 0 against, and 1 absent this 14th day of July, 2016.

CITY OF LEADVILLE, COLORADO

ATTEST:



Bethany Maher, City Clerk

By 
Greg Labbe, Mayor