

ORDINANCE NO. 940

ORDINANCE REQUIRING MANDATORY BAN ON THE SALE AND USE OF FIREWORKS AND A BAN ON OPEN BURNING

WHEREAS, the Town is of the belief that there will continue to be serious water shortages during the summer and fall of 2002; and

WHEREAS, the lack of seasonal precipitation, high temperatures and windy conditions have resulted in a situation where a high fire risk is apparent; and

WHEREAS, major wildfire events are of statewide concern; and

WHEREAS, the potential for damage to persons and property from fire is extremely high;

WHEREAS, the following action is taken to ensure that the Town has sufficient water surpluses to meet the demands of all of its customers, and to ensure there is sufficient drinking water for all persons being serviced by the Town of Berthoud's water system and that these supplies will not be depleted through the use of treated water to suppress fires.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD AS FOLLOWS:

**Section 1.** An "open fire ban" is hereby instituted within the Town of Berthoud.

**Section 2.** "Open fire" shall be defined as any outdoor fire, including, but not limited to, campfires, warming fires, the lighting of fused explosives and fireworks of any kind or brand, and the burning of fence lines or rows, fields, farm lands, range lands, wild lands, trash or debris. "Open fire" does not include the use of barbecue grills, indoor fireplaces, or fires permitted by the Berthoud Fire Department.

**Section 3.** The sale of "fireworks" and the use of "fireworks" or the possession of "fireworks" as defined pursuant to C.R.S. 12-28-101 et seq. shall be banned within the limits of the Town of Berthoud.

**Section 4.** That this mandatory ban on the sale of fireworks or the use of fireworks for the Town of Berthoud shall commence the date of passage and

shall continue through October 1, 2002, at which time the bans created herein shall automatically terminate, unless extended by legislative act of the Board of Trustees.

**Section 5.** Violation of any of the provisions of this Ordinance shall be punishable with up to a \$300 fine or 90 days in jail or by both such fine and imprisonment

**Section 6.** For the reasons set forth herein, this Ordinance is deemed to be an emergency Ordinance. The passage of this Ordinance is determined to be immediately necessary for preservation of the health, peace and safety of Berthoud's residents.

Passed and adopted at a special meeting of the Board of Trustees this 2<sup>nd</sup> day of July, 2002 by a vote of 6 in favor and 0 opposed.

TOWN OF BERTHOUD

Milan Karspeck  
Milan Karspeck, Mayor

ATTEST:

Mary K. Cowdin  
Mary K. Cowdin, Town Clerk

Published: 7-11-02