

**RESOLUTION DECLARING RESTRICTIONS ON FIRES AND COMBUSTIBLE
DEVICES IN LARIMER COUNTY**

WHEREAS, section 30-15-401(1) (n.5), C.R.S., authorizes the Board of County Commissioners (“Board”) to adopt an ordinance banning Open Fires to a degree and in a manner that the Board deems necessary to reduce the danger of wildfires within those portions of the unincorporated areas of the county where the danger of forest or grass fires is found to be high; and;

WHEREAS, section 30-15-401(1)(n.7), C.R.S., similarly authorizes the Board to prohibit or restrict the sale, use and possession of fireworks, including permissible fireworks as defined in section 24-22.5-2001(5), C.R.S.; and

WHEREAS, the Board of County Commissioners of Larimer County adopted the ORDINANCE CONCERNING THE RESTRICTION OF OPEN FIRES, CONTAINED OPEN FIRES, FIREWORKS, PUBLIC DISPLAYS OF FIREWORKS AND USE OF COMBUSTIBLE DEVICES 2022, with an effective date of April 26, 2022 (the “Ordinance”), and

WHEREAS, the Ordinance authorizes the Board to impose a restriction or ban upon any or all types of open fires, open burning, the sale, use or possession of fireworks, public fireworks displays, and the use of combustible devices in the unincorporated territory of Larimer County, or any defined portions thereof, by adopting a resolution at any regularly scheduled or special meeting of the Board; and

WHEREAS, the Board finds that due to extraordinarily dry conditions and extreme fire behavior, and based on the recommendations of the Larimer County Sheriff and other competent evidence as defined by C.R.S. 30-14-401(1)(n.5)(V)(A), the danger of wildfire, forest and grass fires is very high to extreme in Larimer County; and

WHEREAS, the Board finds that it is in the best interests of the people of Larimer County and to further their safety and welfare that restrictions on fires and combustible devices

NOW, THEREFORE, BE IT RESOLVED that the Board finds it is in the best interest of the people of Larimer County and to further their safety and welfare, that restrictions and prohibitions on fires and combustible materials be implemented as set forth herein.

1. RESTRICTIONS: The following restrictions and bans are imposed throughout the unincorporated territory of Larimer County:

- a. **Contained Open Fires** as defined below are **prohibited**.
- b. **Uncontained Open Fires** as defined below are **prohibited**.
- c. **Gas or Liquid Fueled Fires** as defined below are **permitted**.
- d. The use of **Combustible Devices** as defined below is **prohibited**.
- e. **Open Burning**, as defined below, is **permitted**.
- f. Operating or using any device with an internal or external combustion engine without a spark arrest device properly installed, maintained, and in effective working order is **prohibited**. Operating a chainsaw, whether gas-powered or electric, also requires the presence of a shovel to extinguish sparks caused by rock strikes.

2. DEFINITIONS:

- a. **Contained Open Fires** shall mean open fire that is in a permanently constructed stationary masonry or metal fireplaces specifically designed for the purpose of combustion. Contained Open Fires shall not include fireplaces or wood stoves

located inside a permanent structure, such as a residential dwelling or commercial business.

- b. **Uncontained Open Fires** shall mean any fire (including but not limited to: campfire, fireplace, recreational fire, bonfire, firepit, etc...), coal, wood or pellet stove, fireplace, any type of charcoal, wood, or pellet fueled cooking, uncontained fire of any type in an undeveloped area including camp and cooking fires, welding, or operating acetylene or other torches with open flames.
- c. **Gas or Liquid Fueled Fires** shall mean fires fueled by bottled gas or pressurized liquid, which shall include but is not limited to: portable heaters, cooking stoves, heating stoves, hiking/camping stoves, grills, firepits, fireplaces, etc....)
- d. **Combustible Devices** shall mean any object which is flammable, explodes or is designed to or may cause fire. This includes sky lanterns, exploding ammunition, exploding targets, and tracer ammunition.
- e. **Fireworks** shall mean any composition or device designed to produce a visible or audible effect by combustion, deflagration, or detonation, and that meets the definition of permissible fireworks defined in C.R.S. 24-33.5-2001(11).
 - i. "Fireworks" does not include:
 - 1. Toy caps, party poppers, and items similar to toy caps and party poppers that do not contain more than sixteen milligrams of pyrotechnic composition per item and snappers that do not contain more than one milligram of explosive composition per item;
 - 2. Highway flares, railroad fuses, ship distress signals, smoke candles, and other emergency signal devices;
 - 3. Educational rockets and toy propellant device type engines used in such rockets when such rockets are of nonmetallic construction and utilize replaceable engines or model cartridges containing less than two ounces of propellant and when such engines or model cartridges are designed to be ignited by electrical means;
 - 4. Fireworks that are used in testing or research by a licensed explosives laboratory. any article, device, or substance prepared for the primary purpose of producing a visual or auditory sensation by combustion, explosion, deflagration, or detonation.
- f. **Public Fireworks Displays** means any display or Fireworks conducted by a qualified pyrotechnic operator in compliance with the International Fire Code, as is amended, and conducted only after the approval by the local fire authority, and in compliance with any conditions imposed by the local fire authority.
- g. **Open Burning** shall mean fire that a person starts and that is intentionally used for forest management.

3. **EXEMPTIONS:** The following are exempt from the restrictions of this Resolution:

- a. Persons with a written fire entry and activity permit that specifically authorizes the otherwise prohibited act.
- b. Persons using a fire fueled solely by liquid petroleum or LPG fuels.
- c. Persons conducting activities in those designated areas where the activity is specifically authorized by written posted notice.

- d. Any federal, state, or local officer, or member of an organized rescue or firefighting force in the performance of an official duty.
4. DURATION:
a. The above restrictions are in effect from 12:00am on Wednesday, May 6, 2026, through 11:59pm on Tuesday, May 26, 2026, unless suspended or terminated at an earlier date.
5. CHANGING CONDITIONS: If a change in the weather occurs resulting in competent evidence that the fire danger is not present and no longer will be present during the remainder of the Duration, the Board shall seek to promptly consider whether the restrictions should remain in effect, modified, or rescinded. _
6. ENFORCEMENT: Violation of this Resolution shall be an unlawful act and subject to enforcement pursuant to Section 8 and Section 9 of the Ordinance.

Adopted this 5th day of May 2026.

BOARD OF COMMISSIONERS OF LARIMER COUNTY,
COLORADO

By: John Kejalas
Chair Pro Tem

ATTEST:

Danne Cheney
Deputy Clerk to the Board



APPROVED AS TO FORM:

Frank Notley
Assistant Deputy County Attorney