

ORDINANCE NO. 2021-02

AN ORDINANCE AMENDING CHAPTER 18 OF THE KEENESBURG MUNICIPAL CODE REGARDING OPEN BURNING

WHEREAS, the Board of Trustees previously adopted the 2018 edition of the International Fire Code (the “Fire Code”) with certain amendments; and

WHEREAS, the Town Board of Trustees has determined that the Fire Code should be amended to prohibit open burning within the Town, subject to the exceptions described herein.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF KEENESBURG, COLORADO:

Section 1. Section 18-2-40 of the Keenesburg Municipal Code is hereby amended by the addition of new subsections (3) and (4) to read as follows:

Sec. 18-2-40. Amendments.

The *2018 International Fire Code* is amended and changed in the following respects:

(3) Section 307.1 is amended to read as follows:

307.1 General. *Open burning* within Town limits is prohibited, except *open burning* shall be allowed for the following purposes or activities:

a. The burning of irrigation ditches or burning in the course of an agricultural operation for crop promotion, but any person who intends to burn for these purposes must first obtain a permit as provided in Section 307.2.

b. Fires conducted by the District for the training or demonstration of firefighting, fire investigation, fire extinguisher operation or other similar activities approved by the District.

307.1.1. Restrictions. *Open burning* may be restricted or prohibited on any day or at any time due to current or expected weather, atmospheric or local conditions.

(4) Section 307.2 is amended to read as follows:

307.2 Permit required. A permit shall be obtained from the Administrator prior to the *open burning* described in Section 307.1.a. Application for a permit shall be made on a form approved by the Administrator and shall be accompanied by a permit fee in an amount established by the Board of Trustees.

[Remainder of subsections to be renumbered]

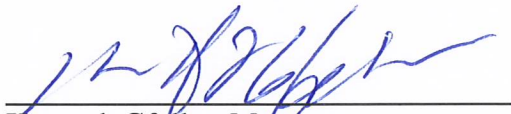
Section 2. If any section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The Board of Trustees hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 4. The repeal or modification of any provision of the Municipal Code of the Town of Keenesburg by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.


INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED BY
TITLE ONLY this 16th day of February, 2021.

TOWN OF KEENESBURG, COLORADO



Kenneth Gfeller, Mayor





Christina Fernandez, Town Clerk