

**TOWN OF LAKE CITY
BOARD OF TRUSTEES
ORDINANCE NO. 2026-__**

**AN ORDINANCE AMENDING SECTION 14-93 OF THE LAKE CITY MUNICIPAL
CODE REGARDING FIRE RESTRICTIONS**

WHEREAS, the Board of Trustees of the Town of Lake City, Colorado (the “Board”), pursuant to Colorado Statute is vested with the authority of administering the affairs of the Town of Lake City, Colorado (the “Town”); and

WHEREAS, Section 14-93 of the Town of Lake City Town Code (the “Code”) sets forth certain restrictions regarding the periodic ban of open fires within the Town (the “Fire Restrictions”); and

WHEREAS, the current Fire Restrictions cannot be enforced by the County as it is not “uniform within the municipality and the applicable unincorporated areas of the County” as required by Colorado Revised Statutes (“C.R.S.”) § 30-15-401(8); and

WHEREAS, Hinsdale County approved Ordinance No. 1, 2012 Series, on second reading July 2, 2012 (the “Hinsdale County Ordinance”) regarding Fire Restrictions; and

WHEREAS, the Town desires to consent to the County jurisdiction and enforcement of the Fire Restrictions by repealing and replacing the existing language in Section 14-93 and with requirement that are uniform with those in the unincorporated areas of Hinsdale County pursuant to the Hinsdale County Ordinance.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF LAKE CITY AS FOLLOWS:

Section 1. Currently existing Section 14-93 of the Town of Lake City Municipal Code is hereby repealed and replaced with the following language to read in its entirety as follows:

Sec. 14-93. – Fire restrictions

(a) Any fire restriction imposed by the Hinsdale Board of County Commissioners at any regular or special meeting, by resolution, to ban open fires to a degree and in a manner that the Board deems necessary to reduce wildfire danger within portions of Hinsdale County, Colorado where the danger of forest fires or grass fires is found to be high based on competent evidence and shall apply within the municipal limits of Lake City.

(b) Any resolution passed by the Hinsdale County shall apply within the Town of Lake City and may specify an expiration date, but in no event shall such ban exceed one (1) year. The ban may be extended in the same manner as its original imposition and upon competent evidence that the wildfire danger continues. However, no such extension shall cause the ban to exceed one (1) year in length from the date of the original County resolution adopting the ban.

(c) Any person who violates any resolution passed or ratified pursuant to this Section commits a class 2 petty offense and, upon conviction thereof, shall be punished by a fine of not more than \$500.00 for a first offense and a fine of not more than \$1,000.00 for any repeat offense by the same individual. When imposing a fine under this Section, the court shall separately state, as a part of the total fine, the surcharge specified in 24-4.2-104(1) C.R.S.

Section 2. Validity. If any part 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 approved this ordinance and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3. Repeal. Existing ordinances or parts of ordinances covering the same matters as embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed, except that this repeal shall not affect or prevent collection of any fees assessed pursuant to the provisions of any ordinance hereby repealed prior to the taking effect of this ordinance.

Section 4. Publication and Effective Date. This Ordinance is necessary for the immediate protection and preservation of the public health, safety, and welfare of the citizens of the Town of Lake City, Colorado for reasons described above, and therefore, shall become effective immediately as an emergency ordinance upon adoption by the Town Board of Trustees. All rate increases shall be effective January 1, 2025.

INTRODUCED, PASSED AND ADOPTED A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF LAKE CITY, COLORADO AND SIGNED THIS 6TH DAY OF MAY, 2026.

Votes Approving: _____
Votes Opposed: _____
Absent: _____
Abstained: _____

ATTEST:

**BOARD OF TRUSTEES OF THE
TOWN OF LAKE CITY, COLORADO**

Christina Bowman
Town Clerk

By: _____
Dave Roberts
Mayor