

RESOLUTION 2024-02

A RESOLUTION OF THE BOARD OF DIRECTORS OF DURANGO WEST METROPOLITAN DISTRICT NO. 2 ESTABLISHING A BAN ON OPEN BURNING WITHIN THE DISTRICT.

WITNESSETH:

WHEREAS, the Durango West Metropolitan District 2 (the “District”) is a Colorado Special District organized pursuant to the Colorado Special District Act, C.R.S. § 32-1-101, *et seq.* (the “Act”); and

WHEREAS, the District owns, operates and maintains a water supply and distribution system (the “District Water System”) which provides water for domestic use and fire protection; and

WHEREAS, the District owns and maintains certain properties in the District which are designated or dedicated on plats as Greenbelts, Out Lots or Golf Course (collectively called “Greenbelts”); and

WHEREAS, wildland fire poses a significant threat to residential areas which could exceed to available resources to control or extinguish; and

WHEREAS, the residential area within the District and the Greenbelts are forested and are susceptible to the rapid spread of wildland fire; and

WHEREAS, the Board of Directors (the “Board”) of the District has previously determined that the Southwest is experiencing a long-term climate trend toward drought conditions which increase the likelihood of wildland fire within the District; and

WHEREAS, a wildland fire within the District would threaten the Greenbelts and would rapidly deplete available water reserves of the District when substantial amounts of water would be needed for fire suppression; and

WHEREAS, District allocates a significant portion of its General Funds to fire mitigation in the Greenbelts to reduce the potential for wildland fire; and

WHEREAS, the potential for wildland fire within the District can also be significantly reduced with reasonable restrictions on open burning; and

WHEREAS, the Board has determined that the restrictions adopted herein are necessary to protect the District Greenbelts and preserve a safe, adequate and reliable water supply for its residents and for fire protection.

NOW THEREFORE BE IT RESOLVED by the Board of Directors of the Durango West Metropolitan District No. 2:

1. Open Burning Prohibited. Building, maintaining, attending, or using a fire, campfire, stove fire, burn barrel or trash fire within the boundaries of the Durango West Metropolitan District No. 2 is prohibited.

2. Exceptions. The prohibition on open burning does not apply to grilling or cooking food using appliances on their property designed for cooking or grilling and can be turned off or covered.

3. Enforcement. If a violation of the open burning prohibition occurs, the following charges shall be

imposed:

- i. First violation after warning: \$100.00
- ii. Second violation after warning: \$200.00
- iii. Third and all additional violations after warning: \$300.00

All unpaid charges shall constitute a perpetual lien against the property until paid as provided by the Colorado Special District Act.

4. Burn Permits. This resolution shall be furnished to the Durango Fire Protection District with a request that burn permits not be issued within the District.

5. Prescribed Burns. A prescribed burn within the Greenbelts to reduce the threat of wildland fire may be allowed by the Board with a prescription to meet planned fire or land management. A "prescription" means a written plan establishing the criteria necessary for starting, controlling, and extinguishing a burn.

6. Effective Date. This Resolution revision shall be effective immediately upon its adoption and approval.

ADOPTED this 21st day of August, 2024.

DURANGO WEST METROPOLITAN DISTRICT NO. 2

By: _____

Ben Lawrence
Vice-President

ATTEST:

Jane Looney
Secretary