



450 S. Parish Avenue
Johnstown, CO 80534
970.587.4664
JohnstownCO.gov

TOWN COUNCIL AGENDA COMMUNICATIONS

AGENDA DATE: July 15, 2024

SUBJECT: Public Hearing: Ordinance No. 2024-255 an Ordinance Adding Section 7-43 to Article II of Chapter 7 of the Municipal Code Prohibiting Open Burning on First Reading

ACTION PROPOSED: Consider Ordinance No. 2024-255

ATTACHMENTS: 1. Ordinance No. 2024-255

PRESENTED BY: Jeff Strossner, Chief of Police

AGENDA ITEM DESCRIPTION:

Enclosed for your review and consideration is Ordinance No. 2024-255 that would add section 7-43 to Article II of Chapter 7 of the code prohibiting open burning.

The International Fire Code adopted by the Town does not specifically prohibit open burning within Town limits.

Staff recognizes that open burning of rubbish, trash, debris, litter, junk, weed, brush, grass, and other combustible or flammable material can present health, safety, and welfare issues for our community.

The Staff also recognizes a need for our community to be able to enjoy recreational fires that are contained safely within an incinerator, outdoor fireplace, portable outdoor fireplace, barbecue grill or barbecue pit.

The proposed ordinance would provide that no person shall make, cause to be made, or allow to continue to make any open burning on private or public property in the Town. This prohibition includes, but is not limited to, the open burning of rubbish, trash, debris, litter, junk, weeds, brush, grass or other combustible or flammable material. There shall be a rebuttable presumption that, if open burning is occurring on private property, the owner caused and is responsible for, the open burning.

The Community that Cares

The proposed prohibition would not apply to recreational fires or fires authorized by the Town or Fire Protection District. Recreational fires are defined as an outdoor fire contained in an incinerator, outdoor fireplace, portable outdoor fireplace, barbecue grill or barbecue pit having a total fuel area of three feet or less in diameter and two feet or less in height where fuel, other than rubbish, is burned and that is ignited for pleasure, religious, ceremonial, cooking, warmth or similar such purposes.

STRATEGIC PLAN ALIGNMENT:

- Safe & Welcoming community
 - *Provide and maintain public safety services and awareness in our community*

LEGAL ADVICE:

The Town Attorney received this request as well as the Town Manager

FINANCIAL ADVICE:

NA

RECOMMENDED ACTION: Approve Ordinance No. 2024-255 upon first reading.

SUGGESTED MOTIONS:

For Approval: I Move to Approve Ordinance No. 2024-255, an Ordinance Adding Section 7-43 to Article II of Chapter 7 of the Municipal Code Prohibiting Open Burning on First Reading

For Denial: I Move to Deny Ordinance No. 2024-255, an Ordinance Adding Section 7-43 to Article II of Chapter 7 of the Municipal Code Prohibiting Open Burning on First Reading

Reviewed and Approved for Presentation,



Town Manager