

**ORDINANCE NO. 6 - 2017**

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF WESTCLIFFE, CUSTER COUNTY, COLORADO, AMENDING TITLE 5, PUBLIC HEALTH AND SAFETY, CHAPTER 2, “PRIDE HEALTH AND SAFETY”, SECTION 2 IS AMENDED BY REPEALING AND REENACTING MODIFICATIONS TO COUNTY COLORADO ORDINANCE 15-02, REGARDING OPEN BURNING IN THE COUNTY.**

**WHEREAS**, the Board of Trustees of the Town of Westcliffe determined that for the health and safety of its' citizens and guest open burning in the Town of Westcliffe should be permitted by permit only in designated areas of the Town; and,

**WHEREAS**, the Board of Trustees determines prohibiting open burning in the Town in all instances is overly restrictive; and,

**WHEREAS**, Custer County Colorado enacted a county wide open burning regulations, encompassing the Town of Westcliffe via County Ordinance 15-02 which was adopted with modifications; and,

**WHEREAS**, the Board of Trustees of the Town desire to amend its modification of Custer County Colorado Ordinance 15-02 regarding open burning in the Town

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF WESTCLIFFE THAT TITLE 5, CHAPTER 5, SECTION 2 SHALL BE AMENDED AS FOLLOWS:**

**Section 1:** Title 5, Chapter 2, Section 2, shall be repealed and reenacted as follows:

“The Town of Westcliffe shall adopt and ratify as its own, and incorporate by reference herein, Custer County Colorado Code 15-02, regulating open burning in Custer County and the Town of Westcliffe, excluding and deleting Part Five: Permitted Open Burning of Custer County Code 15-02 in its entirety, and replacing Part Five as follows:

‘Open Burning in the Town shall be permitted by permit only issued by Town of Westcliffe authorized personnel, and burning shall be restricted to Town zoning areas defined as Agricultural only. No burning of any kind shall be permitted in any other Town zoning area. No burning shall take place at any time when a fire ban has been imposed by any governmental agency covering the area in which the burn is to take place, regardless of the issuance of a permit by the Town. A reasonable permitting fee may assessed by the Town and modified thereafter by the Board of Trustees.’”

All other provisions of Title 5 not herein specifically modified shall remain in full force and effect.

**This Ordinance was introduced and adopted by the Board of Trustees of The Town of Westcliffe, Colorado, upon a motion duly made, seconded and passed at a duly called board meeting held at The Town of Westcliffe on the 7th day of March, 2017 and shall become effective 30 days after adopted.**

**TOWN OF WESTCLIFFE**

By:   
Christy Patterson, Mayor

**ATTEST:**

  
Kathy Reiss, Town Clerk