

**RESOLUTION NO. \_\_\_\_\_, SERIES OF 2026**  
**A RESOLUTION BANNING THE USE OF FIREWORKS, AND FURTHER**  
**DELEGATING AUTHORITY TO THE SHERIFF TO SUSPEND THE FIRE BAN,**  
**IMPOSE THE FIRE BAN, AND BAN FIREWORKS**

**WHEREAS**, on June 26, 2012, Fremont County adopted Ordinance Number 1, Series of 2012, which imposes county-wide fire restrictions in Fremont County; and

**WHEREAS**, Section 6 of the language of the Fire Ban Ordinance exempts from the fire ban sale, use and possession of permissible fireworks as defined in §12-28-101(3) and (8), C.R.S. between May 31 and July 5 of any year, unless the Board of County Commissioners makes a written express finding that all, or a portion, of Fremont County is in a state of high fire danger, based on competent evidence, which includes the use of the national fire danger rating system and any other similar indices or information; and

**WHEREAS**, Fremont County has abundant dry vegetation and undergrowth in fire-prone areas, weather conditions are currently arid with forecast relative humidity during the coming week between 5% and 15%, forecast winds reaching 50 mph, high temperatures and dangerously high fuel levels. Such conditions are predicted to continue creating red flag and fire hazard conditions; and

**WHEREAS**, one known wildland fire is currently burning in Fremont County and multiple wildland fires are burning in surrounding counties and across southern Colorado; and

**WHEREAS**, current conditions and circumstances of elevated fire hazard exist in Fremont County, and a potential lack of firefighting resources due to fires or risk of fires in surrounding counties indicate that it is necessary to ban the use of any and all fireworks in all unincorporated areas of Fremont County in order to reduce the risk of human caused wildland fire; and

**WHEREAS**, the Fremont County Sheriff, in his capacity as fire warden for Fremont County in accordance with §30-10-512, C.R.S., consults with other entities sharing jurisdiction concerning fires within Fremont County and assesses the fire danger for Fremont County on an ongoing basis; and

**WHEREAS**, the Fremont County Sheriff has requested that the Fremont County Board of County Commissioners ban the use of all fireworks at this time; and

**WHEREAS**, during times of extreme fire hazard it may be necessary for the Sheriff, as fire warden, to act swiftly to protect life and property; and

**WHEREAS**, the Sheriff is likewise in the best position to determine when conditions of extreme fire hazard exist and when such conditions have abated; and

**WHEREAS**, on July 8, 2025, the Fremont County Board of County Commissioners adopted Resolution 9, Series of 2025 which delegated authority to suspend the county-wide fire restrictions imposed by Ordinance Number 1, Series of 2012; and

**WHEREAS**, the Sheriff is likewise in the best position to determine when conditions of fire hazard are so extreme that the use of all fireworks should be banned; and

**WHEREAS**, the Fremont County Board of County Commissioners hereby finds, determines and declares that adoption of this Resolution is necessary for the preservation and protection of the public health, safety and welfare of the citizens of Fremont County;

**BASED UPON THE FOREGOING**, the Fremont County Board of County Commissioners **FINDS THE FOLLOWING FACTS**:

1. Fremont County has abundant dry vegetation and undergrowth in fire-prone areas.
2. Weather conditions during the spring and early summer of 2026 have been very dry, with relative humidity at historically low levels.
3. Weather conditions are currently arid with forecast relative humidity during the coming week between 5% and 15%.
4. Windy conditions are forecasted to exist this week through the July 4<sup>th</sup> holiday, with gusts reaching or exceeding 50 mph.
5. Red Flag Warning conditions exist today in Fremont County and have existed frequently this season.
6. The 11 Fire wildland fire is currently burning in Fremont County. This is the third major human caused wildland fire of the 2026 season in Fremont County.
7. Numerous other wildland fires are currently burning in neighboring counties and across Colorado, including the Aspen Acres Fire in Pueblo and Custer counties.
8. Available firefighting resources have been depleted fighting fires across Colorado, including air resources.
9. Colorado DFPC is currently in Preparedness Level 4, the Hot-Dry Windy Index is above the 95<sup>th</sup> Percentile, and severe draught conditions exist across much of Fremont County.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR FREMONT COUNTY AS FOLLOWS**:

1. The use of all fireworks, including permissible fireworks as defined in §12-28-101(3) and (8), C.R.S., is prohibited until such time as county-wide fire restrictions are suspended by the Fremont County Sheriff as authorized herein.
2. Authority to suspend the county-wide fire restrictions imposed by Ordinance Number 1, Series of 2012, as well as to reimpose such restrictions, and to ban the use of all fireworks, is hereby delegated to the Sheriff of Fremont County. In exercising this authority, the

Sheriff shall provide full and adequate public notice that such fire restrictions have been suspended or reimposed.

3. The Sheriff of Fremont County shall have authority to determine the effective Stage of the Fire Restrictions and shall provide full and adequate public notice of the effective Stage.

The Fremont County Board of County Commissioners and the Sheriff of Fremont County strongly encourage residents of Fremont County and visitors to Fremont County to comply with all terms and conditions of the Fire Restrictions, and to exercise great caution with fires and sources that contribute to the fire danger to keep Fremont County safe from wildfires.

This Resolution shall be effective as of the date of the Board's approval on Wednesday, July 1, 2026.

Commissioner \_\_\_\_\_ moved for adoption of this Resolution, with a second by Commissioner \_\_\_\_\_. The roll call vote of the Board was as follows:

Debbie Bell	Aye	Nay	Absent	Abstain
Kevin J. Grantham	Aye	Nay	Absent	Abstain
Dwayne McFall	Aye	Nay	Absent	Abstain

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Clerk to the Board