



## Board Summary Report

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**File #:** 22-197

**Agenda Date:** 5/24/2022

**Agenda #:**

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**To:** Board of County Commissioners

**Through:** N/A

**Prepared By:**

Ron Carl, County Attorney

**Presenter:** Ron Carl, County Attorney

**Subject:**

Adoption of Arapahoe County Ordinance No. 2022-01 (Fireworks)

**Purpose and Request:**

The purpose of this General Business item is to consider the adoption of proposed Arapahoe County Ordinance No. 2022-01, regarding a ban on the sale and use of fireworks in unincorporated Arapahoe County. This ordinance is the same as ordinances that have been adopted in each of the past three years (under state statute a county fireworks ordinance is limited to a duration of one year).

**Background and Discussion:** A first reading of this ordinance was held on April 26, 2022, and the text of the ordinance was published in full in the Villager Newspaper on May 12, 2022, in conformance with statutory requirements.

For purposes of fire prevention in Arapahoe County, the ordinance as presented will ban the sale and use of fireworks for a period of one year; except that the ordinance will not be in effect during the May 31 to July 5 period unless the Board of County Commissioners adopts a resolution finding that there is high fire danger warranting the imposition of the ban during such period. In the event a resolution is adopted banning fireworks during the May 31 to July 5 period, such ban may be lifted if the Board subsequently determines that conditions have changed and there is no longer high fire danger.

The proposed ordinance provides that any person who violates the ordinance commits a civil infraction and

upon conviction thereof, shall be punished by a fine of five hundred dollars (\$500.00) for a first offense, seven hundred and fifty dollars (\$750.00) for a second offense, and one thousand dollars (\$1,000.00) for a third and any subsequent offense.

**Fiscal Impact:** No significant impact is anticipated.

**Alternatives:** The Board could choose not to adopt this ordinance.

**Alignment with Strategic Plan:**

- Be fiscally sustainable
- Provide essential and mandated service
- Be community focused

**Staff Recommendation:** N/A

**Concurrence:** N/A

**Resolution:** Attached is a copy of the draft resolution.