

WASHINGTON COUNTY ORDINANCE 99-1**AN ORDINANCE PROHIBITING THE IMPORTATION OF PRAIRIE DOGS INTO WASHINGTON COUNTY, COLORADO**

**WHEREAS, the Board of County Commissioners of Washington County, Colorado (hereinafter, Board) finds and determines that the establishment and existence of prairie dogs (geuscynomys, esp. C.ludovicianus of the prairies), within Washington County, Colorado is injurious, detrimental, and damaging to the County and its inhabitants, both because of injury and damage to crops, lands, and environment, and because of the significant risk to public health posed by prairie dogs as a proven disease vector, and further, the control of prairie dogs within Washington County is a matter of strictly local concern, and, finally, that the existence of prairie dogs within Washington County constitutes a public nuisance and**

**WHEREAS, the General Assembly of the State of Colorado has, itself, hereto in C.R.S. 35-7-101 expressly recognized the dangers to the inhabitants of Colorado Caused by prairie dogs, and**

**WHEREAS, the provisions of C.R.S. 35-7-201 expressly confer upon the Board extraordinary powers to perform control and eradication of rodents, including prairie dogs, and**

**WHEREAS, the provisions of C.R.S. 30-11-101(1)(e) expressly confer upon the Board the authority to exercise powers as may be especially conferred by law, and**

**WHEREAS, THE PROVISIONS OF C.R.S. 30-11-107(L)(I) confer upon the Board the power to perform such duties as may be prescribed by law, and the provisions of C.R.S. 30-11-107-(I)(e) confer upon the Board the power to exercise the management of the business and concerns of the County in all cases where no other provisions are made by law, and**

**WHEREAS, the provisions of C.R.S. 30-15-401 (I)(a)(V) confer upon the Board the power to enact ordinances to do all acts and make all regulations which may be necessary or expedient for the promotion of health or suppression of disease, and the provisions of C.R.S. 30-15-401(I)(e) confer upon the Board the power to enact ordinances to control unleashed or unclaimed animals, and the provisions of C.R.S. 30-15-401(I)(I)(II) confer upon the Board the power to enact ordinances which provide that any entity which engages in repeated or continuing violations of regulations adopted by the Board Shall Constitute a public nuisance;**

NOW, THEREFORE, be it ordained by the Board of County Commissioners of Washington County, Colorado.

SECTION 1: It shall be unlawful for any person, firm or entity to import prairie dogs into Washington County, Colorado from any place within Washington County, Colorado and to allow prairie dogs to run at large upon public or private lands with Washington County, Colorado.

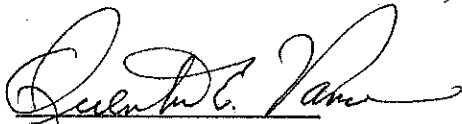
SECTION 2: Any person, firm or entity convicted of violation of Section 1 of this Ordinance commits a Class 2 Petty offense and upon conviction thereof, shall be punished by a fine of not more than Six Hundred Dollars (\$600) for each separate violation, as prescribed by C.R.S. 30-15-402(1). The penalty assessment procedure provided in C.R.S. 176-2-201 may be followed by any arresting law enforcement officer for any such violation. The provisions of C.R.S. 30-15-402(2), authorizing a surcharge of Ten Dollars (\$10.00) to be imposed upon any person convicted of a violation of the within Ordinance, in addition to the fine above authorized, shall be mandatorily imposed upon any person convicted of a violation of the within Ordinance.

SECTION 3; Pursuant to the provisions of C.R.S. 30-15-402.5(1), any employee of the Washington County Sheriff's Office is hereby authorized to issue citation or summonses and complaints in the enforcement of the within Ordinance.

SECTION 4; Pursuant to the provision of C.R.S. 30-15-410, the County Court in and for Washington County, Colorado shall have exclusive jurisdiction to hear and determine any alluded violation of the Ordinance, and the County Attorney shall appear on behalf of the Board to prosecute any such alleged violation.

DATED this 2 day of April, 1999

THE BOARD OF COUNTY COMMISSIONERS  
OF WASHINGTON COUNTY, COLORADO



QUENTIN E. VANCE - CHAIRMAN



ATTEST

  
GARLAND M. WAHL -Clerk to the Board

Introduced, read and ordered published the 22nd day of March, 1999

Adopted the 12th -day of April, 1999

**ORDINANCE 1-2006**

**AN ORDINANCE AUTHORIZING THE DECLARATION  
OF OPEN FIRE BANS BY THE BOARD OF COUNTY  
COMMISSIONERS OR THE COUNTY SHERIFF;  
UNLAWFUL CONDUCT;  
AND PENALTIES FOR VIOLATION OF ORDINANCE**

WHEREAS, pursuant to Section 30-15-401, C.R.S., the Board of County Commissioners of Washington County has the power to adopt ordinances for control of those matters of local concern; and

WHEREAS, pursuant to Section 30-15-401 (1) (n.5), matters of local concern include a ban on open fires when the danger of forest or grass fires is found to be high and / or the sales of fireworks in unincorporated areas of the County; and

WHEREAS, it has come to the attention of the Board of County Commissioners that conditions in the spring, summer or fall frequently warrant the imposition of an open fire ban on an expedited basis; and

WHEREAS, it is the opinion of the Board of County Commissioners of Washington County, that in order to preserve the public peace, health, safety and welfare of the citizens of Washington County, they should take the following action:

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Washington County, the following:

**SECTION I. DECLARATION OF AN OPEN FIRE BAN**

The Washington County Board of County Commissioners or the Washington County Sheriff shall, whenever the danger of forest or grass fires is found to be high, and without further proceedings or resolution, have the authority to declare an open fire ban. Any declaration of an open fire ban made pursuant to this section shall specify the duration of the fire ban and the parameters of the fire ban, as deemed necessary and appropriate.

**SECTION II. PUBLICATION OF NOTICE**

In the event that the Washington County Board of County Commissioners or the Washington County Sheriff declares a fire ban pursuant to Section I of this Ordinance, notice that a fire ban has been declared along with statement as to the duration of the ban

and the parameters of the ban, shall be promptly published in the Akron News Reporter and the Otis Telegraph.

### SECTION III. UNLAWFUL CONDUCT

It shall be unlawful for any person to attempt to start or cause to start a fire through the use of, including but not limited to, fireworks, open pit barbeques, tobacco or campfires, and / or to undertake garbage burning, weed burning, or wood burning and / or to maintain any fire that is in violation of a fire ban declared pursuant to Section I. above.

### SECTION IV. APPLICABILITY

This ordinance shall apply to all portions of unincorporated Washington County.

### SECTION V. ENFORCEMENT

The Washington County Sheriff shall enforce the provisions of this ordinance.

### SECTION VI. VIOLATIONS / PENALTIES

Any person who violates this ordinance commits a class 2 petty offense and upon conviction thereof, shall be punished by a fine of one hundred dollars (\$100) for a first offense, five hundred dollars (\$500) for a second offense, and one thousand dollars (\$1000) for a third and any subsequent offense. The penalty assessment procedure provided in Section 16-2-201, C.R.S. shall be followed by the arresting Sheriff's Deputy or other officer for any violation of this ordinance, and the graduated fine schedule set forth herein shall be followed when issuing any summons and complaint in accordance with such procedure.

### SECTION VII. DISPOSITION OF FINES

All fines for violations of this ordinance shall be paid into the General Fund of Washington County.

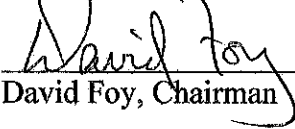
### SECTION VIII. SEVERABILITY

If any one or more of the provisions of this ordinance is determined by a court of law to be invalid, such determination shall not affect the validity of the remaining provisions of this ordinance.

### SECTION IX. SAFETY CLAUSE

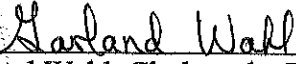
The ordinance shall take effect upon its adoption. This is necessary for the immediate preservation of public health and safety, due in part to the need to control activity subject to this ordinance as soon as possible, and because of existing high fire danger.

BOARD OF COUNTY COMMISSIONERS  
WASHINGTON COUNTY, COLORADO

  
David Foy, Chairman

I, Garland Wahl, Clerk and Recorder of Washington County and Clerk to the Board of County Commissioners, do hereby attest and certify that the Ordinance was introduced, read and ordered published at a regular meeting of the Board of County Commissioners on the 18<sup>th</sup> day of July, 2006. At a public hearing held on the 7<sup>th</sup> day of August 2006, the Ordinance, after receipt of evidence and testimony, was taken under advisement. The Ordinance was adopted, approved and ordered published as adopted on August 16, 2006.

ATTEST:

  
Garland Wahl, Clerk to the Board

BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS  
WASHINGTON COUNTY, COLORADO

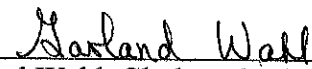
INTRODUCED, READ AND ORDERED PUBLISHED ON THE 18<sup>th</sup> day of July, 2006 at a regular meeting of the Board of County Commissioners.

Date of initial publication: July 27, 2006

TAKEN UNDER ADVISEMENT, AFTER PUBLIC COMMENT AT A PUBLIC HEARING HELD on the 7<sup>th</sup> day of August 2006.

ADOPTED, APPROVED AND ORDERED PUBLISHED AS ADOPTED the 7<sup>th</sup> day of August 2006.

Date of publication after adoption: August 16, 2006.

  
Garland Wahl, Clerk to the Board