

State Colorado

State Agency Department of Public Health and Environment

Affected Area Denver Metropolitan Area

Regulation Local Woodburning Ordinances

Rule Number Lafayette - Ordinance 24

Rule Title .

State Effective Date 11/15/1988

State Adoption Date 06/24/1993

EPA Effective Date 05/19/1997

Notice of Final Rule Date 04/17/1997

Notice of Final Rule Citation 62 FR 18716

Comments

Rule:



[Ordinance 24 - Lafayette.pdf](#)

ORDINANCE NO. 24, Series 1988

INTRODUCED BY: Councilman Yoshihara

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LAFAYETTE, COLORADO BY ADDING ARTICLE XII TO CHAPTER 30 WHICH ARTICLE SHALL BE TITLED "WOODBURNING PROHIBITIONS"; SAID ARTICLE PROHIBITING WOODBURNING IN THE CITY OF LAFAYETTE, COLORADO AT CERTAIN TIMES; SAID ARTICLE PROVIDING FOR A PENALTY FOR VIOLATION.

THE CITY OF LAFAYETTE ORDAINS:

SECTION 1. Chapter 30 of the Code of Ordinances of the City of Lafayette, Colorado is hereby amended by adding thereto Article XII titled "Woodburning Prohibitions" which shall read as follows:

ARTICLE XII.

WOODBURNING PROHIBITIONS

Section 30-300. Definitions. The following terms shall have the following meanings for the purposes of this article:

(a) "Barbecue devices" means devices that are utilized solely for the purpose of cooking food.

(b) "High pollution day" means that period of time declared to be a high pollution day by the State of Colorado Department of Health.

(c) "Person" means any individual, partnership, corporation, company or other association.

(d) "Sole source of heat" means one or more solid fuel burning devices which constitute the only source of heating in a private residence. No solid fuel burning device or devices shall be considered to be the sole source of heat if the private residence is equipped with a permanently installed furnace or

heating system utilizing oil, natural gas, electricity or propane.

(e) "Solid fuel-fired heating device" means a device designated for solid fuel combustion so that usable heat is derived for the interior of a building and includes solid fuel-fired stoves, fireplaces, solid fuel-fired cooking stoves and combination fuel furnaces or boilers which burn solid fuel. Solid fuel-fired heating devices do not include barbecue devices or natural gas fired fireplace logs.

Section 30-301. High Pollution Prohibition.

(a) No person may operate a solid fuel-fired heating device during a high pollution day unless an exemption has been granted pursuant to Section 30-302 below. It shall be the duty of all persons owning or operating a solid fuel-fired device to be aware of any declaration of a high pollution day by the Colorado Department of Health.

(b) At the time of the declaration of a high pollution day, the City Administrator shall allow three hours for the burn down of existing fires in solid fuel burning devices prior to the initiation of enforcement.

Section 30-302. Exemption for Sole Heat Source.

(a) A person who relies on a solid fuel-fired heating device as his sole source of heat may apply to the City Administrator or his designee for a temporary exemption from Section 30-301 above.

(b) A person applying for an exemption must sign a sworn statement that he relies on a solid fuel-fired heating device as his sole source of heat.

(c) An exemption obtained under this section shall be effective for twelve months from the date it is granted.

Section 30-303. Inspections. For the purpose of determining compliance with the provisions of this article, the City Administrator, through authorized representatives, is hereby authorized to make inspections of solid fuel-fired heating devices which are being operated on high pollution days. If any person refuses or restricts entry and free access to any part of a premise, or refuses inspection or sampling of any device, facility or process where inspection is sought, the City Administrator, through authorized representatives, shall seek from the Municipal Court a search warrant for inspection and order that such person refusing inspection be required to permit an inspection at a reasonable time, without interference, restriction or obstruction. The Municipal Court shall have full power, jurisdiction and authority to enforce all orders issued under the provisions of this article.

Section 30-304. Penalties. Any person violating any provision of this article shall be punished by a fine of not less than twenty-five dollars and not more than three hundred dollars.

SECTION 2. Effective Date. This ordinance shall take effect pursuant to the Home Rule Charter of the City of Lafayette, Colorado.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE
ORDERED THIS 1st DAY OF November, 1988.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE
ORDERED THIS 15th DAY OF November, 1988.

CITY OF LAFAYETTE, COLORADO

BY Bob L. Burger
Mayor

ATTEST:

Beverly A. Smith
City Clerk