

STATE OF COLORADO)
) ss.
COUNTY OF ELBERT)

At a regular meeting of the Board of County Commissioners of Elbert County, State of Colorado, held at the Elbert County Administration Building in Kiowa, Colorado 80117 on Wednesday, the 14th day of November, 2018 there were present:

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| Danny Willcox | County Commissioner, Chairman |
| Grant Thayer | County Commissioner |
| Chris Richardson | County Commissioner |
| Dallas Schroeder | Clerk to the Board |

When the following proceedings, among others were had and done, to wit:

RESOLUTION 18- 40
FIRE DISTRICT INCLUSION COVERAGE

WHEREAS, fire protection districts have been established in Elbert County to provide a public service regarding the health and safety of all residents; and

WHEREAS, pursuant to C.R.S.30-10-512, 513, 513.5 and other legally applicable authority providing the Elbert County Sheriff authority as fire warden; and

WHEREAS, pursuant to C.R.S. 24-32-2109, 24-6-402, 30-15-401 including the board of County Commissioners has the authority to reduce fire dangers in the County; and

WHEREAS, these special districts collect taxes from the Elbert County residents they serve in order to fund the equipment, personnel, and facilities required to operate; and

WHEREAS, many properties in Elbert County are not a part of a fire protection district and therefore do not pay for services they may receive in the event of a fire; and

WHEREAS, there is currently no requirement to incorporate into a fire protection district when constructing a new building or subdivision.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ELBERT COUNTY, COLORADO, that:

- (1) Acceptance into a fire protection district is hereby required before building permits shall be issued for any property within Elbert County that is erecting/constructing any structure over 900 square feet, or erecting/constructing any residential structure..
- (2) Acceptance into a fire protection district is hereby required before building permits shall be issued for any 35+ acre subdivision within Elbert County.
- (3) Property owners may choose to forgo the inclusion into a fire district, but shall pay a fee-in-lieu to Elbert County which shall total \$19, 228.



- (4) Such fee shall be used for the purpose of reimbursing the fire districts for the costs of firefighting efforts against fires located on the subject property associated with the fee in accordance with CRS 30-10-513 (3).
- (5) Such funds shall not be used for reimbursement associated with Emergency Medical Services or with costs other than those directly related to firefighting associated with the subject property.
- (6) Depletion of the in-lieu funds due to firefighting efforts on the subject property shall require the property owner to either join a fire protection district, or replenish the funds expended to reach the total \$19, 236 or shall not be granted building permits for new structures or the repair or replacing of damaged structures (or for proposed new structures). In the event such funds are not furnished, such permits shall not be issued, and certificates of occupancy may either be revoked, or not granted by the County.

APPROVED AND ADOPTED this 14th day of November, 2018

Upon a Motion duly made and seconded, the foregoing resolution was adopted by the following vote:



DANNY WILLCOX, COMMISSIONER AYE



GRANT THAYER, COMMISSIONER AYE



CHRIS RICHARDSON, COMMISSIONER AYE

**ATTEST: DALLAS SCHROEDER
COUNTY CLERK**

BY: 

CLERK TO THE BOARD

