

**Media Contact:**  
Amber Blake  
Interim City Manager  
(970) 375-4949  
CityManager@DurangoGov.org

949 E. 2<sup>nd</sup> Avenue  
Durango, CO 81301  
[DurangoGov.org](http://DurangoGov.org)

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FOR IMMEDIATE RELEASE, MAY 21, 2020

# NEWS RELEASE

## City of Durango Issues Smoking and Fire Restrictions Due to Extreme Fire Risk

**Durango, CO:** Interim City Manager Amber Blake, pursuant to the emergency declaration related to the Coronavirus (COVID-19) health crisis, has issued fire and smoking restrictions within City limits. Effective immediately:

- All fires of any kind or the burning of any material of any kind on public or private property within the City is prohibited. This restriction shall not prohibit the use of outdoor charcoal, wood fired or propane grills, ovens or smokers on private property.
- All smoking (as that term is defined in Section 21-111 of the City Code) is prohibited in or on all City owned, operated or managed property, including but not limited to all sidewalks, parks, recreation areas, open space, natural lands, reservoirs, Animas River corridor, Animas River access points, the Animas River Trail and all other trails within the City. This restriction shall not prohibit smoking in designated smoking areas.

It is the intent of this Order to decrease the risk of fire and to maximize scarce resources otherwise needed to respond to the COVID-19 health crisis during the time the Emergency Declaration is in effect.

The City will attempt to seek voluntary compliance through education and warning notices prior to the issuance of any citations. Compliance with this Order may be enforced under Sections 1-16 and 9-9 of the City Code. In addition, the City may pursue any other legal remedy to secure enforcement.

The Order shall remain in effect until modified or revoked by further written order of the Interim City Manager.

*Please see the attached Order for full details.*

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**ORDER 2020 - 07**

**AN ORDER OF THE INTERIM MANAGER OF THE CITY OF DURANGO PURSUANT TO THE EMERGENCY DECLARATION RELATED TO THE COVID-19 HEALTH CRISIS REGARDING THE ISSUANCE OF FIRE AND SMOKING RESTRICTIONS DURING THE PERIOD WHEN THE EMERGENCY DECLARATION IS IN EFFECT**

**WHEREAS**, the Interim City Manager of the City of Durango entered an Emergency Declaration under the provisions of Chapter 9 of the City Code related to the COVID-19 health crisis on March 16, 2020 (the Emergency Declaration); and

**WHEREAS**, the Durango City Council adopted Resolution No. 2020-07 on March 17, 2020 which ratified and extended the Emergency Declaration (the Resolution); and

**WHEREAS**, federal, state and local resources are being used in many ways to mitigate the effects of the COVID-19 health crisis; and

**WHEREAS**, the response to COVID-19 is already placing a strain on limited government and health care resources being used to fight this pandemic; and

**WHEREAS**, recent conditions in Southwest Colorado are increasing the chances of a wildfire; and

**WHEREAS**, a response to a wildfire would drastically impact already strained resources creating more risk for a fire to spread and requiring firefighters and first responders to shift their efforts away from helping individuals with the impacts of COVID-19 and other emergencies; and

**WHEREAS**, on May 12, 2020, La Plata County issued Stage 1 Fire Restrictions; and

**WHEREAS**, the City recognizes the need to reduce wildfire risk in the community and it is the intent of this Order to decrease the risk of fire and to maximize scarce resources otherwise needed to respond to the COVID 19 health crisis during the time the Emergency Declaration is in effect; and

**WHEREAS**, smoking may worsen the health impacts of individuals contracting the COVID-19 virus and creates additional fire risks; and

**WHEREAS**, a wildfire and the smoke associated with a fire would cause serious respiratory health impacts, thereby potentially worsening the impacts of the COVID-19 virus on the population; and

**WHEREAS**, the City of Durango as a home rule municipality has broad authority under state law and its charter to provide for regulations to preserve the health, welfare and safety of its citizens; and

**WHEREAS**, the provisions of the City Code grant broad authority to the City Manager to act in the event of a declared emergency, including the specific authority to impose additional smoking and fire restrictions.

**ORDER:**

Based on the foregoing, and pursuant to the authority described in Chapter 9 of the City Code and as affirmed in the Resolution, it is ORDERED as follows:

1. FIRE RESTRICTIONS

Effective immediately, all fires of any kind or the burning of any material of any kind on public or private property within the City is prohibited. This restriction shall not prohibit the use of outdoor charcoal, wood fired or propane grills, ovens or smokers on private property.

2. SMOKING RESTRICTIONS

Effective immediately, all smoking (as that term is defined in Section 21-111 of the City Code) is prohibited in or on all City owned, operated or managed property, including but not limited to all sidewalks, parks, recreation areas, open space, natural lands, reservoirs, Animas River corridor, Animas River access points, the Animas River Trail and all other trails within the City. This restriction shall not prohibit smoking in designated smoking areas.

3. COMPLIANCE

The City will attempt to seek voluntary compliance through education and warning notices prior to the issuance of any citations. Compliance with this Order may be enforced under Sections 1-16 and 9-9 of the City Code. In addition, the City may pursue any other legal remedy to secure enforcement.

4. The provisions of this Order shall remain in effect until modified or revoked by further written order of the Interim City Manager.

Date: 5/20/2020

  
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Interim City Manager, City of Durango, Colorado