

**Town of Erie
Ordinance No. 029-2025**

**An Ordinance of the Town Council of the Town of Erie Amending
the Restrictions on Open Burning in the Town**

Whereas, the Town Council finds it in the best interest of the public health, safety and welfare to amend the restrictions on open burning in the Town by addressing open burning in fire pits and similar containers.

Now Therefore be it Ordained by the Town Council of the Town of Erie, Colorado, as follows:

Section 1. Section 6-6-15(C)(4) of the Erie Municipal Code is hereby repealed in its entirety and reenacted as follows:

6-6-15 – Fire setting.

* * *

C. Exemptions:

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4. Open burning or open flames conducted outside in a chiminea, outdoor fireplace, fire pit, or similar container, when conducted in accordance with this Code and the International Fire Code, as adopted by the Town, subject to the following:

- a. The container shall be non-combustible, and shall not exceed three (3) feet in diameter or two (2) feet in height.
- b. The container shall have wire mesh or a screen of sufficient size to contain sparks and embers, and the gaps in the wire mesh or screen shall be one-quarter ($\frac{1}{4}$) inches or less.
- c. The fire shall be located at least fifteen (15) feet away from any structure and shall be constantly attended; and
- d. The burning of garbage, including without limitation yard waste, is prohibited.

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Section 2. **Severability.** If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 3. Safety. The Town Council finds that the adoption of this Ordinance is necessary for the protection of the public health, safety and welfare.

Section 4. Effective Date. This Ordinance shall take effect 10 days after publication following adoption.

Introduced, Read, Passed and Ordered Published this 16th day of December, 2025.

Andrew J. Moore, Mayor

Attest:

Debbie Stamp, Town Clerk