



Park County Sheriff's Office

Sheriff Fred Wegener

P.O. Box 604

Fairplay, Colorado 80440

719-836-2494

Date: September 8, 2010
TO: All staff
From: US Monte Gore
RE: Assisting Fire Districts

I had a question presented to me concerning an incident in which an individual was burning on his property. When the Fire District arrived, they were met with a locked gate and the homeowner advised them it was private property and they would not be allowed on the property.

As a peace officer and acting under color of authority you are authorized to defeat locked gates and go on to private property in certain circumstances. Our mission would be to allow fire personnel to access to the property, to check on the situation.

CRS 18-8-104 Obstructing a peace officer, firefighter, emergency medical services provider, rescue specialist, or volunteer:

(1) (a) A person commits obstructing a peace officer, firefighter, emergency medical services provider, rescue specialist, or volunteer when buy using or threatening to use violence, force physical interference, or an obstacle, such person knowingly obstructs, impairs, or hinders the prevention, control or abatement of fire by a firefighter, acting under color of his or her official authority.