

ORDINANCE NO. 5
Series 1996

AN ORDINANCE OF THE TOWN OF LAKE CITY,
COLORADO, AUTHORIZING RESTRICTED OPERATION OF
SNOWMOBILES ON THE RIGHT OF WAY OF HIGHWAYS,
STREETS AND ALLEYS WITHIN THE TOWN; AND
PROVIDING PENALTIES FOR VIOLATION OF STATED
RESTRICTIONS.

WHEREAS, the Board of Trustees of the Town of Lake City,
Colorado finds that authorizing the use of snowmobiles on
portions of the rights of way of all highways, roads, streets and
alleys within the Town will be of benefit to the Town inhabitants
and public at large; and

WHEREAS, the Board of Trustees finds that certain
restrictions regarding such use of snowmobiles are required in
the best interest of the public health, safety and welfare;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF
THE TOWN OF LAKE CITY, COLORADO, as follows:

Section 1. Definitions. As used in this ordinance, the
term "snowmobile" means a self-propelled vehicle primarily
designed or altered for travel on snow or ice when supported in
part by skis, belts or cleats, not including machinery used
strictly for the grooming of ski trails and slopes. Definitions
of certain other terms used in this ordinance shall be as
provided in C.R.S. 33-14-101, as hereafter amended.

Section 2. General Authorization. Snowmobiles registered
pursuant to C.R.S. 33-14-102 through 33-14-104, as hereafter
amended, and which are equipped with the lights, brakes, muffler
and other equipment required by C.R.S. 33-14-114, as hereafter
amended, are hereby permitted to be operated on the right of way
for the roads, streets, highways and alleys of the Town of Lake
City, Colorado subject to the restrictions in this ordinance.

Section 3. Age and License Requirements. Notwithstanding
any other provision of law to the contrary, no person shall
operate any snowmobile within the limits of the Town of Lake
City, Colorado unless he or she has attained the minimum age of
16 years and either (1) possesses a valid license to operate a
motor vehicle in the State of Colorado or (2) possesses a valid
learner's permit to drive a motor vehicle in the State of
Colorado and is accompanied by an adult over the age of 18 years
possessing a valid drivers license.

Section 4. General Operating Restrictions. Persons
operating snowmobiles within the Town of Lake City, Colorado
shall be subject to the following prohibitions and restrictions
as are more particularly set forth in the referenced Colorado
statutes (as such statutes may be hereafter amended):

(a) Snowmobiles shall be operated on the far right-hand side (shoulder) of the right of way of any particular highway, street, road or alley being used and the snowmobile shall be brought to a complete stop before crossing any intersecting railroad track or other road, street, highway or alley, all as more particularly set forth in C.R.S. 33-14-110 through 33-14-112. Before crossing any intersecting highway, road, street or alley, the operator of a snowmobile shall yield the right of way to all pedestrian, bicycle, and motor vehicle traffic which constitutes an immediate hazard to such crossing.

(b) The operator of a snowmobile shall comply with the provisions of C.R.S. 33-14-116 through 33-14-117 which prohibits operating a snowmobile in a careless or reckless manner, or while under the influence of alcohol or controlled substances or drugs which render him or her incapable of safe operation of a snowmobile, or while carrying weapons such as strung bows, loaded firearms and the like.

(c) The operator of a snowmobile shall comply with all other traffic control signs lawfully posted by the Town of Lake City, Colorado including, but without limitation, all speed control signs, stop signs, street directional signs and special hazard signs, to the same extent as any motor vehicle being operated within the Town of Lake City, Colorado pursuant to the Town's Model Traffic Code. As stated, snowmobiles shall be subject to the same speed limits as motor vehicles within the Town limits but shall not be operated in excess of 15 miles per hour within any alleyway or other thoroughfare that is not specifically controlled by speed limit signage.

(d) The muffling system on any snowmobile operated within Town limits shall be adequate to reduce engine noise to 84 decibels or less.

Section 5. Penalties. Violation of any provision of this ordinance by any owner, operator or user of a snowmobile shall be punishable by the lesser of either (1) the penalties prescribed by the corresponding section of Title 33, Article 14 of the Colorado Revised Statutes, as hereafter amended, or (2) by a fine of up to \$300.00 and/or a jail sentence of up to 90 days.

Section 6. Severability. If any provision of this ordinance or the application of it to any person or circumstance is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid

provisions or applications. The provisions of this ordinance are expressly declared to be severable.

INTRODUCED, READ and ADOPTED by the Board of Trustees of the Town of Lake City, Colorado this 10th day of November, 1996.

TOWN OF LAKE CITY, COLORADO

By Philip Mason
Mayor

ATTEST:

Michelle L. Lee
Town Clerk