

**TOWN OF LAKE CITY, COLORADO  
ORDINANCE NO. 2016-01**

AN ORDINANCE OF THE TOWN OF LAKE CITY, COLORADO,  
REPEALING ORDINANCE 2008-03 AND ADDING SECTION 14.4  
TO THE LAKE CITY MUNICIPAL CODE REGULATING THE  
OPERATION OF OFF-HIGHWAY VEHICLES WITHIN THE  
TOWN OF LAKE CITY.

WHEREAS a majority of participating registered voters of the Town of Lake City approved a special ballot measure in December 2015, directing the Board of Trustees of the Town of Lake City to adopt an ordinance that repealed Ordinance 2008-03, prohibiting use of off-highway vehicles within the Town, and to allow use of off-highway vehicles on Town public roads; and

WHEREAS the Board of Trustees of the Town of Lake City desires to implement the vote of the registered voters of the Town on this subject.

NOW THEREFORE, be it ordained by the Board of Trustees of the Town of Lake City, Colorado, as follows:

Section 1:

Ordinance 2008-03, which prohibited the use and operation of off-highway vehicles on the streets, highways, alleyways, and other public thoroughfares of the Town of Lake City, is hereby repealed.

Section 2:

Section 14.4 is hereby added to the Lake City Municipal Code, as follows.

14.4        Off-Highway Vehicles.

- (1) As used in this Section, "off-highway vehicle" shall have the meaning given in Colorado Revised Statute § 33-14.5-101, as amended from time to time.

- (2) As used in this Section, "public road" means and shall include any road, street, alley, avenue, thoroughfare, public way, or other public property within the Town of Lake City.
- (3) It shall be lawful to operate off-highway vehicles on all public roads within the Town of Lake City, except public roads that are part of the state highway system, provided that:
  - a. The operator of the off-highway vehicle has in his or her possession a valid motor vehicle driver's license or operator's license.
  - b. The operator of the off-highway vehicle shall have in full force and effect a complying policy of insurance under the terms of Part 6, Article 4, Title 10, of the Colorado Revised Statutes, covering such off-highway vehicle.
- (4) It shall be unlawful for any person to operate an off-highway vehicle on any public road in violation of the regulations of Title 42 of the Colorado Revised Statutes pertaining to the movement of traffic on roadways within the Town of Lake City.
- (5) It shall be unlawful for any person to operate an off-highway vehicle on any public road during at a speed greater than fifteen miles per hour (15 m.p.h.).
- (6) It shall be unlawful for any person to allow, authorize, suffer or permit an off highway-vehicle owned or belonging to him or her, or that is under his or her control, to be operated by any other person in violation of this Section.
- (7) Any person convicted of a violation of this Section shall be subject to a fine not to exceed \$300.00, or a jail sentence not to exceed ninety (90) days, or both, for each separate violation.
- (8) This Section shall be enforced by any law enforcement or peace officer, including the Hinsdale County Sheriff or a person designated by the Sheriff as the County Off-Highway Vehicle Enforcement Officer.

- (9) Any fines collected by the Town of Lake City for violations of this Section shall be deposited to the Street and Alley fund.

Section 3:

This ordinance shall become effective on the thirty-first day following publication, pursuant to COLO. REV. STAT. § 31-16-105.

Section 4:


The repeal and amendment of various provisions of the Town of Lake City Municipal Code Colorado by this ordinance shall not affect any offense or act committed, any penalty incurred, any contract, right, or duty established or accruing before the effective date of this ordinance.

Section 5:

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.

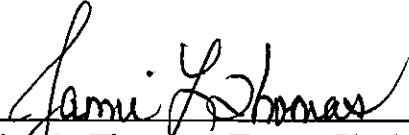
INTRODUCED AND ADOPTED by the Board of Trustees of the Town of Lake City, Colorado, this 6<sup>th</sup> day of January, 2016.

TOWN OF LAKE CITY, COLORADO

  
\_\_\_\_\_  
Bruce Vierheller, Mayor

I, Jamie Thomas, certify and attest that Ordinance 2016-01 was introduced and adopted by the Board of Trustees for the Town of Lake City at the regular meeting on the 6<sup>th</sup> day of January, 2016.

ATTEST:

  
\_\_\_\_\_  
Jamie Thomas, Town Clerk