

Stayed 4.20.10

**TOWN OF LAKE CITY, COLORADO
ORDINANCE NO. 2015-05**

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.

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vehicles on the streets, highways, alleyways, and other public thoroughfares of the Town of Lake City, is hereby repealed.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) As used in this Section, "exception period" shall mean a specific period of time designated by a duly adopted resolution of the Board of Trustees of the Town of Lake City during which the operation of off-highway vehicles are permitted on public roads designated as off-highway vehicle routes in accordance with this Section.

- (4) It shall be unlawful for any person to operate an off-highway vehicle on any public road except during an exception period.
- (5) It shall be unlawful to operate an off-highway vehicle on any public road during an exception period unless:
 - a. Such public road is identified as "OHV Access" on the map attached hereto as Exhibit A and incorporated herein.
 - b. The operator of the off-highway vehicle has in his or her possession a valid motor vehicle driver's license or operator's license.
 - c. 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.
 - d. Such public road has been designated as an off-highway vehicle route by a duly adopted resolution of the Board of Trustees of the Town of Lake City.
- (6) It shall be unlawful for any person to operate an off-highway vehicle on any public road during an exception period 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.
- (7) It shall be unlawful for any person to operate an off-highway vehicle on any public road during an exception period at a speed greater than fifteen miles per hour (15 m.p.h.).
- (8) 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.

- (9) This Section shall be enforced by any law enforcement or peace officer, including the person designated by the Hinsdale Board of County Commissioners as the County Off-Highway Vehicle Enforcement Officer.
- (10) 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 18th day of March, 2015.

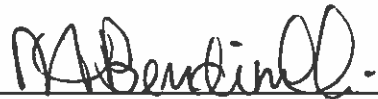
TOWN OF LAKE CITY, COLORADO



Bruce Vierheller, Mayor

I, Deborah Bendinelli, certify and attest that Ordinance 2015-05 was introduced and adopted by the Board of Trustees for the Town of Lake City at the regular meeting on the 18th day of March, 2015.

ATTEST:



Deborah Bendinelli, Town Clerk

LEGEND

- OHV Access
- Walking Trails
- Highway 149

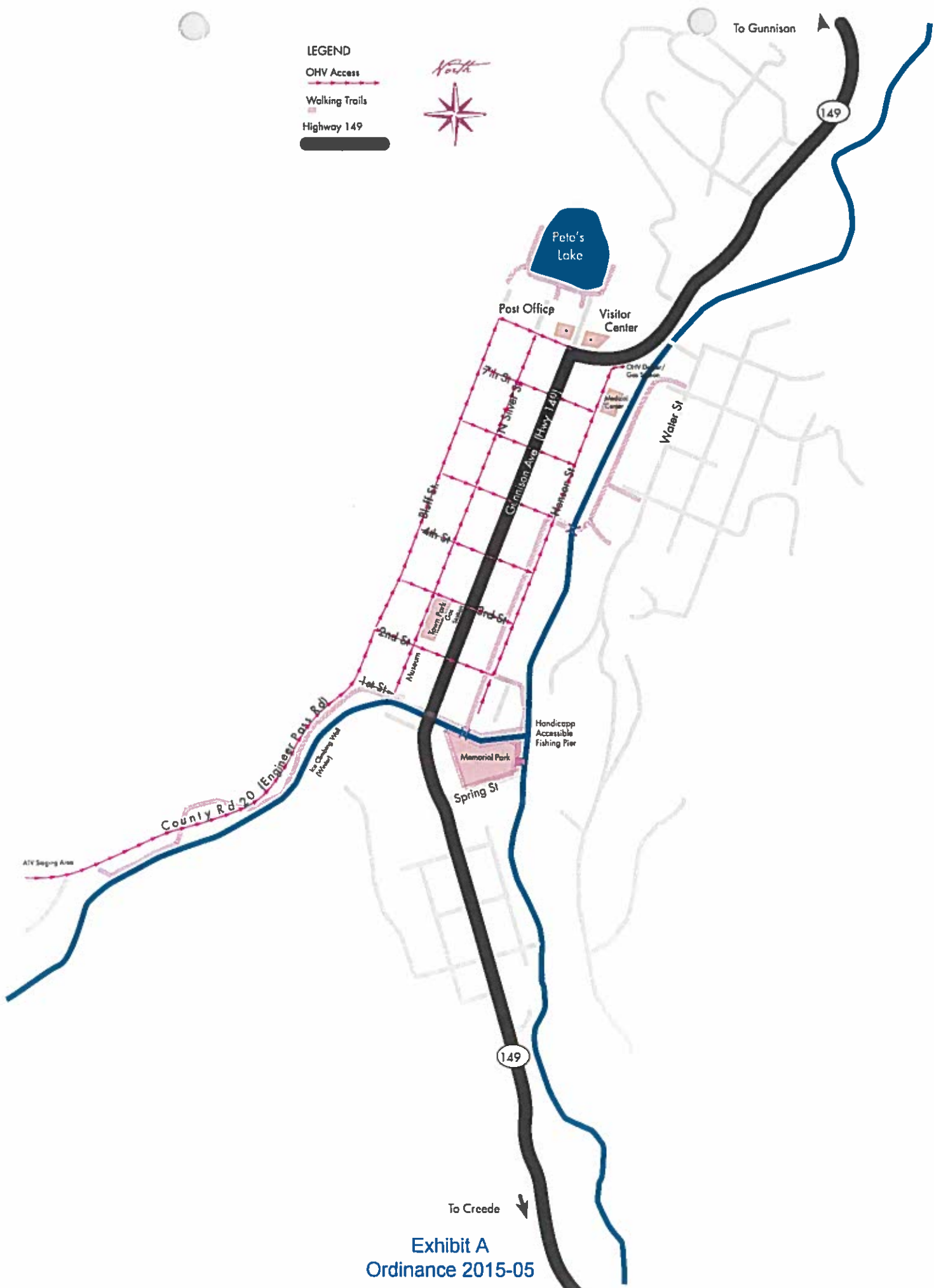


Exhibit A
Ordinance 2015-05