

ORDINANCE NO. 13(A)
BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF SUMMIT
STATE OF COLORADO

AN ORDINANCE ADOPTING AMENDMENTS TO REGULATIONS REGARDING THE USE AND OPERATION OF SNOWMOBILES WITHIN THE UNINCORPORATED AREAS OF SUMMIT COUNTY, COLORADO

WHEREAS, pursuant to C.R.S. §33-14-118(1), the Board of County Commissioners of Summit County, Colorado may adopt, by ordinance, such regulations as deemed necessary regarding the operation of snowmobiles on public lands, waters, and property under its jurisdiction and on streets and highways within its boundaries; and

WHEREAS, pursuant to C.R.S. §30-15-401(1)(h), the Board of County Commissioners of Summit County, Colorado has the authority to adopt ordinances to control and regulate the movement and parking of vehicles and motor vehicles on public property; and

WHEREAS, the use and operation of snowmobiles has progressively increased within the unincorporated area of Summit County; and

WHEREAS, the Board of County Commissioners of Summit County have received considerable comments from their constituents regarding the threat to the public health, welfare, and safety caused by unregulated snowmobile operation; and

WHEREAS, the Board of County Commissioners of Summit County desires to clarify the privileges and restraints which should apply to the operation of a snowmobile within the unincorporated area of Summit County; and

WHEREAS, the Board of County Commissioners believes that it is in the best interests of the public health, safety and welfare to implement regulations controlling the manner in which such snowmobiles are operated; and

WHEREAS, in promulgating such regulations regarding the use and operation of snowmobiles within the unincorporated area of Summit County, it is the intent of the Board of County Commissioners to complement and remain consistent with the provisions of Colorado law regarding the use and operation of snowmobiles as well as other statutory provisions regarding the planning, preservation, protection, establishment, operation, management and regulation of recreational facilities; recreational trails systems; and natural resources in Summit County; and

WHEREAS, the Board of County Commissioners of Summit County desire to amend Ordinance No. 13 to eliminate any confusion regarding the County's regulation of snowmobiles and establishment of certain non-motorized recreational facility trails within the County, including a prohibition on snowmobile use.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SUMMIT, STATE OF COLORADO THAT:

1. This Ordinance 11(C) is hereby adopted so that the following provisions of Ordinance No. 13 are amended as follows:
2. Subsection III(A)(5) regarding the “Unlawful Use of Roadways for the Operation of a Snowmobile” is amended to read as follows:

III. Unlawful Use of Roadways for the Operation of a Snowmobile

(A) It shall be unlawful for any person to use any roadway within the unincorporated area of Summit County for the operation of a snowmobile at any time for any purpose, subject to the following express and limited exceptions:

(5) On the roadway of streets and highways which are not maintained for winter motor vehicle traffic, unless such use is otherwise prohibited by any law, rule, regulation or ordinance; and

3. Subsections IV(B)(1) and IV(C) regarding the “Unlawful Use of Streets, Roads, Freeways or Highways for the Operation of a Snowmobile” are amended to read in part as follows:

IV. Unlawful Use of Streets, Roads, Freeways or Highways for the Operation of a Snowmobile

(B) It shall be unlawful for any person to use any street, road, freeway or highway within the unincorporated area of Summit County for the operation of a snowmobile at any time, subject to the following express and limited exceptions:

(1) A snowmobile may only be operated on any road, street, freeway and highway, as such terms are expressly defined in this Ordinance, as far as practicable from the roadway thereof, unless such use is otherwise prohibited by any law, rule, regulation or ordinance. The meaning of roads, streets, freeways and highways, as expressly defined for the purposes of this ordinance, do not include and are to be distinguished with particularity from the meaning of a roadway, as such term is defined for the purposes of this Ordinance.

(C) It is hereby declared that the operation of a snowmobile on any portion of certain roads, streets, freeways, and highways is not practicable, and therefore is prohibited, subject to the express and limited exceptions as set forth in subsection IV(B).

(1) For purposes of this subsection (C), the entire portion of the following roads are hereby declared to subject to these restrictions:

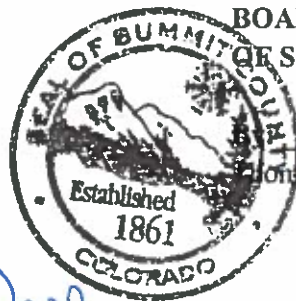
(a) Swan Mountain Road, from the eastern point of the Blue River Bridge to the point at which such road intersects with the entrance to the Snake River Sewer Plant; and

(b) That portion of County Road 7 which traverses the Dillon Reservoir Dam;

Any and all snowmobile operation on such portions of these roads is strictly prohibited.

4. If any provision of this ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not invalidate this ordinance in its entirety, and to this end the provisions of this ordinance are declared to be severable.
5. Except as herein amended, Ordinance 13 shall remain in full force and effect.
6. This Ordinance shall be effective thirty days after publication after adoption on second reading.

INTRODUCED, READ, ORDERED PUBLISHED IN FULL AND SET FOR PUBLIC HEARING THIS 29th DAY OF SEPTEMBER, 2015.



**BOARD OF COUNTY COMMISSIONERS
OF SUMMIT COUNTY COLORADO**

Thomas C. Davidson
Thomas C. Davidson, Vice-Chairman

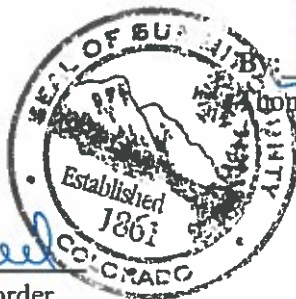
ATTEST:

Kathleen Neel

Kathleen Neel, Clerk & Recorder

READ, PASSED AND ADOPTED AFTER PUBLIC HEARING AND PUBLISHED IN THE SUMMIT COUNTY JOURNAL ON OCTOBER 16, 2015. ORDERED PUBLISHED BY TITLE ONLY THIS 27th DAY OF OCTOBER, 2015.

**COUNTY OF SUMMIT
STATE OF COLORADO
By and Through its
BOARD OF COUNTY COMMISSIONERS**



Thomas C. Davidson
Thomas C. Davidson, Vice-Chairman

ATTEST:

Kathleen Neel

Kathleen Neel, Clerk & Recorder