

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. 5327

AN ORDINANCE AMENDING GJMC 12.08.140 REGARDING RENEWAL OF THE RIVERFRONT TRAIL AND ADJACENT AREAS RULES AND REGULATIONS

Recitals

Chapter 12.08 of the Grand Junction Municipal Code (“GJMC”) contains rules and regulations pertaining to conduct and other matters on the Riverfront Trail and adjacent areas. Pursuant to that code, the Parks and Recreation Advisory Board (“PRAB”) shall propose for adoption by the City Council necessary and reasonable rules regulations applicable to the use of the riverfront trails, areas adjacent, and the bodies of water which are owned and controlled by the City. The adopted rules shall have the force of and effect of law.

The rules and regulations were most recently adopted in Ordinance 5071 on May 18, 2022. Those rules, codified in GJMC 12.08.140, had a sunset provision causing them to expire in July 2025. This Ordinance readopts the rules with certain changes contained herein. Notable changes include the removal of the sunset provision, causing the rules to become permanent unless changed by City Council; removing a requirement for there to be overnight shelter available before the camping prohibition may be enforced; and the addition of a prohibition of careless or reckless operation of any bicycle or other allowed device.

Additionally, certain rules generally applicable to City parks were also adopted, including the prohibition against construction of a structure or enclosure, fires, smoking, and other activity prohibited in City parks.

This Ordinance readopts the 2022 Riverfront Trail rules with the changes recommended by PRAB. PRAB heard and considered a resolution adopting the rules contained in this Ordinance, and adopted a Resolution recommending City Council adopt the rules in their May 7, 2026 meeting.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:

The foregoing Recitals are incorporated and in consideration thereof, and as otherwise found and determined by the City Council to be in the best interests of the public health, safety, and welfare, and to conform with US Supreme Court precedent, the following change is make to GJMC 12.08.140 (addition in ALL CAPS, deletions in ~~strikethrough~~):

§ 12.08.140 Regulations relating to trails, lands and waters.

(a) "Riverfront trails, lands and waters" shall mean all trails, surfaced or unsurfaced, lands and waters which are under the administration, ownership or control of the City of Grand Junction Parks and Recreation Department and/or the trails, lands and waters of the Riverfront Commission which lie within the City of Grand Junction.

(b) No person shall:

(1) Operate any motor vehicle or other power driven mobility device(s) (OPDMD) on any City trail(s) or land(s) as those are depicted and described on the "Trails Map(s)" except maintenance or emergency vehicle(s) or as may be authorized by the City or by signs and except for a "common wheelchair" which is defined as a manually operated or power driven device designed primarily for use by a person with a mobility disability for the purpose of indoor, or of both indoor and outdoor, locomotion. An electric motorized scooter/power chair meets this definition, provided it meets Section 37.3 of the U.S. Department of Transportation's regulations implementing the ADA (49 CFR Parts 27, 37, and 38).

An OPDMD is defined as any mobility device powered by batteries, fuel, or other engine(s), whether or not designed primarily for use by persons with mobility disabilities, that is used by persons with mobility disabilities for the purpose of locomotion, including golf cars, electric personal assistance mobility devices (EPAMDs), such as the Segway PT ® or any mobility device designed to operate in areas without defined pedestrian routes, but that is not a common wheelchair within the meaning of this section.

Motor vehicle shall be as defined in § 42-1-102(58), C.R.S. et seq. EPAMDs shall be as defined in § 42-1-102(28.7), C.R.S.

(2) Operate any motorboat, motorized vessel or gasoline or electric motor-powered craft on any of waters owned and/or controlled by the City. All as defined in § 33-13-102, C.R.S.

(3) Enter, use or occupy the lands or trails of the riverfront between the period from 8:00 p.m. and 5:00 a.m. November 1 to March 1 and 10:00 p.m. and 5:00 a.m. March 2 to October 31 of each year.

(4) Carry or possess any glassware or serve or consume food or beverages from glass containers on riverfront lands or trails.

(5) Carry, possess, serve or consume any malt, vinous or spirituous liquor on riverfront lands or trails. Fermented malt beverages containing no more than ~~three and two-tenths~~ FIVE percent alcohol by weight which are served or consumed from nonglass containers are allowed.

(6) Allow any dog or other animal on riverfront lands or trails unless the animal is under control by means of a leash not exceeding six feet in length. Animal(s)

shall likewise be subject to all animal control ordinances and regulations of the City of Grand Junction.

(7) Camp, park a motor vehicle, trailer or camper on Riverfront lands or trails, with the intention or for the purpose of camping, unless:

(i) The person has the authorization of the owner of the property to camp at that location; or

(ii) Overnight use is specifically authorized by the issuance of a use permit; or

(iii) Camping or overnight use is otherwise specifically authorized by GJMC; or

~~(iv) There is no available overnight shelter; or~~

(iv) Camping is necessary after the formal declaration of an emergency in accordance with City Charter or a declaration of the Governor.

“Camp” or “camping” means to set up or to remain in or at an encampment.

“Encampment” means any place where bedding, sleeping bag(s) or other things used for bedding purposes, or any stove or fire is placed, established or maintained for the purpose of maintaining a place to stay or sleep, whether or not such place incorporates the use of any tent, lean-to, shack, or any other cover, structure or elements of a structure or any vehicle or part thereof: Ordinary use of the trail system such as resting or sleeping on a bench during normal trail hours or using the trails for other lawful uses does not constitute encampment.

~~“Available overnight shelter” means a public or private facility, with all necessary or required City occupancy approvals, open to a person(s) or a family experiencing homelessness with an available overnight space to house the person(s) or family at no charge or a nominal charge (presumptively \$5.00 or less per person). Overnight shelter space shall be considered available if the person(s) is not permitted by a public or private facility to use otherwise available overnight shelter space due to the person’s actions.~~

~~For persons under the age of 21 experiencing homelessness, The House shall, for purposes of this section, be considered the only available overnight shelter.~~

“Overnight use” means the use of public lands and/or trails pursuant to a special permit where an event is authorized to last overnight.

(8) Vend, sell or otherwise engage in a commercial or business operation on riverfront land or trails unless such is by the authority of a vending permit issued by the Department of Parks and Recreation of the City of Grand Junction. Possession of a valid vending permit shall authorize the use of the riverfront lands and trails subject to the terms and conditions imposed thereon by the Director or his designee.

(9) NO STRUCTURE OR ENCLOSURE IS TO BE COUNSTRUCTED, ERECTED, INSTALLED, ATTACHED, OR STAKED IN ANY RIVERFRONT TRAILS, LANDS AND WATERS, WITHOUT AN EVENT OR COMMERCIAL ACTIVITY PERMIT. THIS INCLUDES, BUT IS NOT LIMITED TO: TENTS, ENCLOSED BOOTHS, MONUMENTS, ARTWORK, AND OTHER SIMILAR FURNISHINGS, WHETHER TEMPORARY OR NOT.

(10) FIRES, SMOKING, TOBACCO, MARIJUANA, AND VAPING ARE PROHIBITED IN ALL CITY RIVERFRONT TRAILS, LANDS AND WATERS.

(11) Fire, shoot, or discharge any cannon, gun, pistol or other firearm of any description or any BB or pellet gun or any explosive device or any bow, crossbow or other dangerous weapon or device.

(c) With the exception of a common wheelchair, an electric motorized scooter and Class I and Class II e-bikes, no motor vehicle or OPDMD is allowed on the trails, as the same are depicted and described by Ordinance 2606 and these adopted regulations.

(1) A Class I electrical assisted bicycle or low-speed pedal-assist electric bicycle is a two-wheeled bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour. A Class I electrical assisted bicycle motor shall not exceed 750 watts of power.

(2) A Class II electrical assisted bicycle or low-speed throttle-assisted electric bicycle is a bicycle equipped with a motor that may be used exclusively to propel the bicycle and is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour.

(3) A Class III electrical assisted bicycle is a bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of 28 miles per hour.

(i) Class III electrical assisted bicycles are allowed only on streets/bike lanes adjacent to streets (not trails, paths or sidewalks).

(ii) Class III electrical assisted bicycles may not be operated by a person under 16 years of age; a person under 16 years of age may ride as a passenger on a Class III electrical assisted bicycle that is manufactured to accommodate a passenger(s).

(4) Any person under 18 years of age riding or a passenger on a Class III electrical assisted bicycle shall wear an American Society for Testing and Materials (ASTM) or United States Consumer Product Safety Commission (USCPS) approved helmet of a type and design manufactured for use by riders of bicycles. The protective helmet shall be properly secured on the person's head with the strap fastened while the Class III electrical assisted bicycle is in motion.

(5) No person shall operate an electrical assisted bicycle in any place where there are one or more signs posted prohibiting such activity. No person shall operate an electrical assisted bicycle in any public place in a manner which causes injury to any person or damage to public or private property.

(6) A person using an electrical assisted bicycle in any public place within the City shall use the same in a careful and prudent manner and at a rate of speed no greater than is reasonable and prudent under the conditions existing at the place and time of operation, taking into account the amount and character of pedestrian traffic, grade and width of the path, trail or right-of-way and condition of the surface thereof and shall obey all traffic control devices.

(7) Every person riding an electrical assisted bicycle upon a public path, trail or other right-of-way shall yield the right-of-way to any pedestrian thereon.

~~(8) To the extent not inconsistent herewith, House Bill 17-1151 amending various sections of the Colorado Revised Statutes is incorporated by this reference.~~

~~(9) Within 60 days of the third anniversary of the adoption of the ordinance codified in this section the City Council shall consider the effectiveness of the ordinance codified in this section at achieving its stated purposes. Without further action by the City Council, the terms and provisions of ordinance codified in this section shall expire on the third anniversary of the effective date hereof. The City Council may determine that the ordinance codified in this section is effective as written and reinstate it or may amend it as it determines in its sound discretion.~~

(d) NO PERSON SHALL OPERATE ANY BICYCLE, ELECTRICAL ASSISTED BICYCLE, OR ANY OTHER DEVICE OR VEHICLE ALLOWED BY THESE RULES ON THE RIVERFRONT TRAILS, LANDS AND WATERS, IN A CARELESS OR RECKLESS MANNER.

(1) FOR THE PURPOSES OF THIS SECTION, "CARELESS" SHALL MEAN TO OPERATE ANY BICYCLE, ELECTRICAL ASSISTED BICYCLE, OR ANY OTHER DEVICE OR VEHICLE ALLOWED BY THESE RULES IN A CARELESS OR IMPRUDENT MANNER, WITHOUT DUE REGARD FOR THE WIDTH, GRADE, CURVES, CORNER, TRAFFIC, AND ALL OTHER ATTENDANT CIRCUMSTANCES.

(2) FOR THE PURPOSES OF THIS SECTION, "RECKLESS" SHALL MEAN TO OPERATE ANY BICYCLE, ELECTRICAL ASSISTED BICYCLE, OR ANY

OTHER DEVICE OR VEHICLE ALLOWED BY THESE RULES IN SUCH A MANNER AS TO INDICATE A WANTON OR WILLFUL DISREGARD FOR THE SAFETY OF PERSONS OR PROPERTY.

INTRODUCED on first reading the 20th day of May 2026 and ordered published in pamphlet form.

PASSED and **ADOPTED** on second reading the 3rd day of June 2026 and ordered published in pamphlet form.



Laurel Lutz
President of the City Council



ATTEST:



Selestina Sandoval
City Clerk

I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 5327 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 20th of May, 2026, and the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, in pamphlet form, at least ten days before its final passage.

I FURTHER CERTIFY THAT a Public Hearing was held on the day of the 3rd of June 2026, at which Ordinance No. 5327 was read, considered, adopted, and ordered published in pamphlet form by the Grand Junction City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 8th day of June 2026.


Deputy City Clerk

Published: May 23, 2026
Published: June 6, 2026
Effective: July 6, 2026

