

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. 4832

AN ORDINANCE TO AMEND CHAPTER 12.04, CHAPTER 12.06, AND CHAPTER 12.08 OF THE GRAND JUNCTION MUNICIPAL CODE REGARDING POSSESSION OR CONSUMPTION OF ALCOHOL IN PARKS AND RIVERFRONT TRAILS AND TO CHANGE THE HOURS OF PROHIBITED PARK USE AND TO AMEND CHAPTERS 8.20 AND 9.04 TO INCLUDE VAPING AND THE USE OF VAPE DEVICES AS PROHIBITED IN WORKPLACES, PUBLIC PLACES, AND FOR USE BY MINORS

RECITALS:

This ordinance regarding possession or consumption of alcohol in parks and Riverfront Trails, to prohibit smoking, including marijuana, and vaping in public places and to amend park hours serves to protect the health, welfare and safety of citizens by proscribing certain activities that are or may be offensive, harmful or illegal. Specifically limiting secondhand exposure to the harmful chemicals created by smoking and the use of electronic smoking devices ("vaporizers" and/or e-cigarettes) as well as affirming that smoking of marijuana is illegal in public and that the public consumption of certain alcohol in certain public places is improper.

Concerning vaping, the U.S. Surgeon General has said there is no safe level of exposure to secondhand smoke and that even brief exposure can be harmful to health. Though much is still unknown about the effects of secondhand vapor exposure, the aerosol emitted by the user of an e-cigarette has been shown to contain high levels of ultra-fine particles associated with respiratory and vascular ailments, as well as toxic chemicals known to cause cancer. As well, vaping much like smoking, may be displeasing to others.

Pursuant to Colorado law (SB 16-197) 3.2% beer (also known as fermented malt beverages) will not be sold in Colorado after January 1, 2019. Current law prohibits public consumption of alcohol in public places; however, fermented malt beverages may by City rule be possessed/consumed in some public parks and places. In order to address the changes in the law, this ordinance addresses the types of alcohol that with passage of the ordinance will be allowed/disallowed.

In the course of preparing updates to the laws regarding smoking/vaping and alcohol in parks, the City staff reviewed park hours and has recommended changes to the same. The City parks have suffered from increased vandalism and it anticipated that modification of the hours parks are open may help to improve the problem.

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

Chapters 12.04, 12.08, 12.16, 8.20, 9.04, and 12.08 shall be revised as follows (additions are shown in **bold print** and deletions marked with ~~strike-through~~ notations):

12.04.050 Drinking alcoholic beverages in parks; use of glass containers ~~in grassed areas~~ prohibited.

(a) It shall be unlawful for any person to possess or drink any spirituous liquors in the City in any park which is either publicly or privately owned and used by the public unless such possession and consumption is pursuant to and in accordance with a special events permit issued in accordance with C.R.S. 44-5-101 et seq. or such place is a part of the premises designated under a valid license issued pursuant to state law and the consumption is otherwise lawful; malt and/or vinous liquors may be consumed by persons of lawful age and other applicable law.

(b) It shall be unlawful for any person to possess or drink any malt, vinous, or spirituous liquors in Emerson Park and Hawthorne Park, which are owned by the City and used by the public, unless such possession and consumption is pursuant to and in accordance with a special events permit issued in accordance with C.R.S., 44-5-101 et seq. or such place is a part of the premises designated under a valid license issued pursuant to state law and the consumption is otherwise lawful.

(c) No person shall drink from or use glass containers ~~on the grassed areas of~~ in any park.

12.04.015 Hours classification system.

(a) The City Council of the City of Grand Junction hereby establishes the following classifications and hours of prohibited park use for each classification:

- (1) ~~Midnight~~ **11:00 P.M.** – 5:00 A.M.: Community, regional and neighborhood parks with formal programmable sports facilities.
- (2) ~~40:30~~ **10:00 P.M.** – 5:00 A.M.: Neighborhood and mini parks.
- (3) 10:00 P.M. – 5:00 A.M.: Open space and undeveloped parks and properties.
- (4) 10:00 P.M. – 5:00 A.M.: Cemeteries.
- (5) **10:00 P.M. – 5:00 A.M.: School IGA sites (except during school hours).**

(b) The City Council of the City of Grand Junction hereby authorizes and directs the City Manager to classify each City park **pursuant to the classifications in section 12.04.015(a)(1-5)** at the time of acquisition, or development, when the principal use or function of the park changes, or as needed to address vandalism or similar operational concerns. The City Manager may defer any such classification decision to the City Council as he deems necessary.

~~(c) The classification system attached to the ordinance codified in this section is hereby approved.~~ The City Manager is hereby delegated the power and duty to amend the classification system as he deems necessary from time to time, by administrative regulation. The City Manager may defer any changes to the ~~attached~~ classification system to the City Council as he deems necessary.

(d) "Community," "regional," "neighborhood," "mini" parks are defined or distinguished by reference to the current City-adopted Parks Master Plan.

(e) All School IGA sites shall be closed to the public during school hours unless attendance is approved for the public at school related activities and/or activities approved by the Mesa County Valley School District that are held on the premises of such site(s).

~~(e)~~ **(f)** This section shall be in full force and effect upon its adoption; however, no criminal charges shall be issued or filed based on any changes from prior practices until adequate notice is posted on the park, open space, cemetery or other site.

12.16.100 Drinking of alcoholic beverages in public ways; use of glass containers in ~~grassed areas~~ prohibited.

(a) It shall be unlawful for any person to possess or drink any malt, vinous, or spirituous liquors in the City, in or on any public street, road, highway, park or public way which is either publicly or privately owned and used by the public, unless such possession and consumption is pursuant to and in accordance with a special events permit issued in accordance with C.R.S. § ~~42-48-101~~ **44-5-101** *et seq.* or such place is a part of the premises designated under a valid license issued pursuant to state law and the consumption is otherwise lawful.

(b) No person shall drink from or use glass containers when consuming alcohol in public places.

~~(b) No person shall drink from or use glass containers on the grassed areas of any park.~~

8.20.020 Smoking in workplaces and public places.

(a) Definitions. The following words and phrases, whenever used in this section, shall have the following meanings:

Bar means an area which is devoted to the serving of alcoholic beverages for consumption by guests on the premises and in which the serving of food is only incidental to the consumption of such beverages.

Bingo hall means any enclosed area used for the management, operation or conduct of a game of bingo by any organization holding a license to manage, operate or conduct games of bingo pursuant to Colorado law and in which food service for consumption on the premises is incidental to the games of bingo.

Bowling alley means a business open to the public which offers the use of bowling lanes, typically equipped with operable automatic pin setting apparatus and in which food service for consumption on the premises is incidental to bowling and related activities.

Business means any sole proprietorship, partnership, joint venture, corporation or other entity formed for profit-making or nonprofit purposes, including retail establishments where goods or services are sold, as well as professional corporations and limited liability companies. *Business* includes entities where legal, accounting, financial, planning, medical, dental, engineering, architectural or other services are delivered.

***Electronic smoking device* means an electric or battery-operated device, which can be used to deliver substances, including but not limited to, nicotine, tobacco, or marijuana, to the person using such device. Electronic smoking devices shall include, without limitation, electronic cigarettes, cigars, cigarillos, pipes, and hookahs.**

Employee means any person whether such person is referred to as an employee, contractor, independent contractor, volunteer or by any other designation who:

- (1) Performs any type of work for benefit of another in consideration of direct or indirect wages or profit; or
- (2) Provides uncompensated work or services to a business or nonprofit entity.

Employer means any person, partnership, association, corporation, or nonprofit entity that employs one or more persons.

Enclosed area means all space between a floor and ceiling within a structure or building which is closed in on all sides by solid walls, doors or windows which extend from the floor to the ceiling.

Indoor area means any enclosed area or portion thereof. The opening of windows or doors, or the temporary removed of wall panels, does not convert an indoor area to an outdoor area.

***Lighted* means to illuminate by electricity, battery or fire; to ignite by electricity, battery or fire; to burn by electricity, battery or fire; or to emit light by electricity, battery or fire.**

Marijuana (which may alternatively be spelled as “marihuana”) shall have the same meaning as set forth in Article XVIII, Section 16 of the Colorado Constitution or as may be more fully defined in any applicable State law or regulation.

Person means a natural person or any entity or business recognized by law or formed to do business of any sort.

Place of employment means any indoor place and any public place or portion thereof under the control of an employer in which employees of the employer perform services for, or on behalf of, the employer.

Private club means any establishment which restricts admission to members of the club and their guests. See *Public place*.

Private function means any activity which is restricted to invited guests in a nonpublic setting and to which the general public is not invited.

Public meetings means any meeting open to the public pursuant to Part 4 of Article 6 of Title 24, C.R.S., or any other applicable law.

Public place means any area to which the public is invited or in which the public is permitted, including but not limited to banks, educational facilities, schools, health facilities, laundromats, parks, trails and public open space, public transportation facilities including bus stations and stops, taxis, shelters, airports, train stations, reception areas, restaurants, retail food production and marketing/grocery establishments, retail service establishments, retail stores, theaters and waiting rooms. A private club is considered a *public place* when functions are held at the club which are open to the general public and are not restricted to the members of the club. A private residence is not a *public place* except during times when it is being used as a child care, adult care or health care facility.

Restaurant means a business in which the principal business is the sale of food or meals prepared on-site, typically for consumption on-site. Examples of restaurants, without limitation, are coffee shops, cafeterias, sandwich stands, private or public school

or other cafeterias, and other eating establishments which give or offer food for sale to the public, guests, or employees, as well as kitchens in which food is prepared on the premises for serving elsewhere, including catering facilities.

Retail tobacco store means a business utilized primarily for the sale of tobacco and accessories and in which the sale of other products is incidental.

Service line means any indoor or outdoor line at which one or more persons are waiting for or receiving service of any kind, whether or not such service involves the exchange of money.

Smoke or *smoking* means **and includes, but is not limited to:**

- 1) the carrying or possession of a **smoking instrument** ~~a lighted cigarette, lighted cigar or lighted pipe of any kind, and includes lighting of a pipe, cigar, cigarette, tobacco, weed or other combustible plants~~ **in one's mouth for the purpose of inhaling or exhaling smoke or vapor or blowing smoke or vapor rings;**
- 2) **the placing of a lighted smoking instrument in an ashtray or other receptacle, and allowing smoke or vapor to diffuse in the air;**
- 3) **the possession, carrying or placing of a lighted smoking instrument in one's hands or any appendage or device and allowing smoke or vapor to diffuse in the air; or**
- 4) **the inhaling or exhaling of smoke or vapor from a lighted smoking instrument.**

***Smoking instrument* means an instrument of any kind which can be used to deliver substances, including but not limited to nicotine, tobacco, marijuana, or any other substance, or combination thereof, to the person using such instrument. Smoking instrument shall include, without limitation, cigarettes, cigars, cigarillos, pipes and hookahs. Smoking instrument shall specifically include electronic smoking devices.**

Smoke-free means that air in an enclosed area is free from smoke caused by smoking.

Sports arena means sports pavilions, gymnasiums, health spas, boxing arenas, swimming pools, roller and ice rinks, bowling alleys and other similar places where members of the general public assemble either to engage in physical exercise, participate in athletic competition, or witness sports events.

Structure is defined in the International Building Code, including the International Residential Code, ("IBC") as adopted by the City from time to time. The term *structure* includes the term *building*, also defined by the IBC.

Tobacco is defined in § 25-14-203(17), C.R.S.

Work area means an enclosed area in which one or more employees are routinely assigned and perform services for or on behalf of the employer.

(b) Application to City Property. All enclosed areas and motor vehicles that are owned or leased by the City shall be subject to the provisions of this section as though such areas and vehicles were public places.

(c) Prohibition of Smoking in Public Places and Indoor Areas.

(1) Except as provided herein, smoking shall be prohibited in all public places and indoor areas within the City, including, but not limited to, the following:

(i) Elevators.

(ii) Restrooms, lobbies, reception areas, hallways and any other common-use areas.

(iii) Buses, taxicabs, other means of public transit while operating within the City limits, and ticket, boarding and waiting areas of public transit systems including stops, bus benches, shelters and depots.

(iv) Service lines.

(v) Retail stores.

(vi) All areas available to and customarily used by the public in all businesses and nonprofit entities patronized by the public, including, but not limited to, professional and other offices, banks, and laundromats.

(vii) Restaurants and bars except that smoking is allowed in outdoor seating areas of restaurants and bars that are not enclosed and are not under a roof or a projection of a roof as defined by the IBC as a *roof assembly*, such as patios, and any person smoking is at least 15 feet from the front or main doorway.

(viii) Aquariums, galleries, libraries, museums and similar facilities.

(ix) Any structure primarily used for exhibiting any motion picture, stage, drama, lecture, musical recital or other similar performance.

(x) Sports arenas whether enclosed or outdoors.

(xi) Public meeting places.

(xii) Health care facilities including hospitals, clinics, therapists' offices and facilities, physical therapy facilities, doctors' offices, dentists' offices and the offices and facilities of other health care providers.

(xiii) Restrooms, lobbies, hallways, and other common areas in public and private buildings including but not limited to apartment buildings, condominiums, trailer parks, retirement facilities, nursing homes, and other multiple-unit residential facilities.

(xiv) Billiard or pool halls.

(xv) Polling places.

(xvi) Facilities in which games of chance are conducted, including but not limited to bingo halls.

(xvii) To the extent not otherwise provided in § 25-14-103.5, C.R.S., public and nonpublic schools.

(xviii) Other educational and vocational institutions.

(xix) Restrooms, lobbies, hallways, and other common areas in hotels and motels, and in at least 75 percent of the sleeping quarters within a hotel or motel that are rented to guests.

(xx) Any place of employment that is not exempted in subsection (f) of this section.

(xxi) The indoor area of a private club. Smoking is allowed in the outdoor areas of a private club, except where otherwise prohibited in this section.

(2) Notwithstanding any other provision of this section, any person or business who controls any business or facility may declare that entire establishment, facility or grounds as smoke-free.

(d) Smoke-Free Workplace. In the case of employers who own facilities otherwise exempted by subsection (f) of this section, each such employer shall provide a smoke-

free area for each employee requesting a smoke-free area. Every employee shall have the right to work in a smoke-free area.

(e) Smoke-Free Exits and Entrances. Smoking shall not occur in or so close to exterior exits or entrances that the free flow of pedestrian traffic may be affected or so close that the operation of the doors, exits or entrances is affected or diminished. No smoking shall occur within 15 feet of the front or main doorway leading into a building or facility.

(f) Where Indoor Smoking Is Not Prohibited.

(1) Notwithstanding any other provision of this section to the contrary, the following areas shall be exempt from the prohibition contained in subsection (c) of this section:

(i) Private homes and residences; except when used as a child care, adult day care or health care facility.

(ii) Retail tobacco stores.

(iii) Private vehicle, except if the private vehicle is being used for the public transportation of children or as part of health care or day care transportation.

(iv) A hotel or motel room rented to one or more guests if the total percentage of such hotel or motel rooms in such hotel or motel does not exceed 25 percent.

(v) A place of employment that is not open to the public and that is under the control of an employer that employs three or fewer employees.

(vi) A private, nonresidential building on a farm or ranch, as defined in § 39-1-102, C.R.S., that has annual gross income of less than \$500,000.

(2) Notwithstanding any other provision of this section, any owner, operator, manager or other person who controls any establishment described in this subsection (f) may declare that entire establishment, facility, or grounds as smoke-free.

(g) Signs.

(1) Each owner, operator, manager and other person having control of an enclosed area or public place subject to the provisions hereof shall be jointly and severally responsible to clearly and conspicuously post:

(i) "No Smoking" signs or the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a circle with a bar across it) in every public entrance or other areas where smoking is prohibited by this section.

(ii) In public places where smoking is allowed pursuant to this section, a sign with the words "Smoking is Allowed Inside" at each public entrance to, or in a position clearly visible on entering, the enclosed area in which smoking is permitted.

(2) All signs referred to in this subsection (g) shall be a minimum size of 20 square inches and must be placed at a height of between four and six feet above the floor.

(3) All signs at public parks or unenclosed public places shall be visible to persons entering from the primary entrance or shall be posted at reasonable intervals along the property boundary. The primary entrance shall be referred to as the location where a sign identifies the park name, hours it is open to the public and other rules and regulations. For purposes of this section, "reasonable intervals" shall be presumed to be no less than 300 feet.

(h) Optional Prohibitions. The owner or manager of any place not specifically listed in subsection (c) of this section, including a place otherwise exempted in subsection (f) of this section, may post signs prohibited smoking or providing smoking and nonsmoking areas. Such posting shall have the effect of including such place, or the designated nonsmoking portion thereof, in the places where smoking is prohibited pursuant to this section.

(i) No Retaliation. No person or employer shall discharge, refuse to hire or retaliate in any manner against any employee, applicant for employment, or customer because such employee, applicant, or customer exercises any right to, or complains about the lack of, a smoke-free environment afforded by this chapter.

(j) Violations and Penalties.

(1) It shall be unlawful for any person or business that owns, manages, operates or otherwise controls the use of any premises, enclosed area, public place, or place of employment subject to regulation under this section to fail to comply with any of its provisions.

(2) It shall be unlawful for any person to smoke in any area where smoking is prohibited by the provisions of this section.

(3) Each violation of any provision of this section shall be deemed to be a separate violation. Each day shall be treated as a separate violation for continuing violations of subsections (d), (g) and (i) of this section.

(k) Other Applicable Laws. This section shall not be interpreted or construed to permit smoking where it is otherwise restricted by other applicable laws.

(l) Severability. If any provision, clause, sentence or paragraph of this section or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this section which can be given effect without the invalid provision or application, and to this end the provisions of this section are declared to be severable.

9.04.210 Regulation of tobacco products.

(a) **Definitions.** For the purposes of this section, the following words or phrases shall have the meanings set forth.

(1) *Tobacco product* ~~means any substance containing tobacco leaf, including, but not limited to, cigarettes, cigars, pipe tobacco, snuff, chewing or dipping tobacco.~~ **shall include, but is not limited to, cigars, cigarillos, chewing tobacco, pipe tobacco, roll-your-own tobacco, snus, bidi, snuff, tobacco-containing shisha, and dissolvable tobacco product. Tobacco product shall also include electronic smoking devices that deliver substances to the user by turning liquid into vapor that is inhaled. Electronic smoking devices include but are not limited to electronic cigarettes, cigars, cigarillos, pipes, and hookahs.** This definition does not include any products that the Food and Drug Administration of the United States Department of Health and Human Services has approved as a tobacco use cessation product.

(2) *Smoking* means, **but is not limited to:** ~~the carrying or possession of a lighted cigarette, cigar, pipe, and includes lighting of the same.~~

a) the carrying or possession of a smoking instrument in one's mouth for the purpose of inhaling or exhaling smoke or vapor or blowing smoke or vapor rings;

(b) the placing of a lighted smoking instrument in an ashtray or other receptacle, and allowing smoke or vapor to diffuse in the air;

(c) the possession, carrying or placing of a lighted smoking instrument in one's hands or any appendage or device and allowing smoke or vapor to diffuse in the air; or

(d) the inhaling or exhaling of smoke or vapor from a lighted smoking instrument.

(3) *Self service display* means any retail tobacco display to which customers have direct physical access, including cigarette vending machines.

(4) *Minor* means any person under the age of 18.

(5) *Vending machine* means any mechanical, electric or electronic self-service device which, upon insertion of money, tokens or other form of payment, dispenses a tobacco product.

(6) ***Smoking instrument*** means an instrument of any kind which can be used to deliver substances, including but not limited to nicotine, tobacco, marijuana, or any other substance, or a combination thereof to the person using the instrument. Smoking instrument shall include, but not limited to, cigarettes, cigars, cigarillos, pipes and hookahs. Smoking instrument shall include electronic smoking devices.

(7) ***Lighted*** means to illuminate by electricity, battery, or fire; to ignite by electricity, batter or fire; to burn by electricity, battery or fire; or to emit light by electricity, battery or fire.

(8) ***Electronic smoking device*** means an electric or battery-operated device, which can be used to deliver substances, including but not limited to, nicotine, tobacco, or marijuana, to the person using such device. Electronic smoking devices shall include, without limitation, electronic cigarettes, cigars, cigarillos, pipes, and hookahs. An electronic smoking device includes any component, part or accessory of such device whether or not sold separately, regardless of nicotine content or any other substance intended to be vaporized for human inhalation during the use of the device.

(b) Possession and Use of a Tobacco Products by Minors.

(1) It shall be unlawful for any minor to knowingly possess, consume, or use, either by smoking, ingesting, absorbing, **vaping** or chewing, any tobacco product.

(2) It shall be unlawful for any minor to knowingly obtain or attempt to obtain any tobacco product by misrepresentation of age or by any other method.

(3) It shall be rebuttably presumed that the substance within a package or container is a tobacco product if the package or container has affixed to it a label which identifies the package or container as containing a tobacco product.

(c) Furnishing Tobacco Products Prohibited.

(1) Any person who knowingly furnishes any tobacco product to any minor by gift, sale, or any other means commits a violation hereof.

(2) It shall be an affirmative defense to a prosecution under this section that the person furnishing the tobacco product was presented with and reasonably relied upon a document which identified the person receiving the tobacco product as being 18 years of age or older.

(d) **Vending Machines.** It shall be unlawful for any person to sell a tobacco product by use of a vending machine or other coin-operated machine; except that cigarettes may be sold at retail through vending machines only in:

(1) Factories, businesses, offices, or other places not open to the public; or

(2) Places to which minors are not permitted access.

(e) **Retail Sale of Tobacco Products.**

(1) It shall be unlawful for any business proprietor, manager, or other person in charge or control of a retail business of any kind to engage, employ or permit any minor to sell any tobacco product from such retail business.

(2) It shall be unlawful for any business proprietor, manager or other person in charge or control of a retail business of any kind to use a self-service display of tobacco products or stock a tobacco product in any way which allows a customer to access such tobacco product without first securing the physical assistance of an adult business employee for each transaction. The provisions of this subsection (e)(2) shall not apply to stores possessing a valid retail liquor store license, as defined by the Colorado Liquor Code, issued by the City and to vending machines meeting the requirements of subsection (d) of this section.

(3) Any person who sells or offers to sell any cigarettes or tobacco products at retail shall display a warning sign, as specified in this subsection.

(4) Said warning sign shall be displayed in a prominent place in the building and on such machine at all times and shall have a minimum height of three inches and a width of six inches, and shall read as follows:

WARNING:

IT IS ILLEGAL FOR ANY PERSON UNDER EIGHTEEN YEARS OF AGE TO PURCHASE OR POSSESS CIGARETTES AND TOBACCO PRODUCTS. UPON CONVICTION A FINE OF UP TO \$500 PLUS NOT

MORE THAN 48 HOURS OF USEFUL PUBLIC SERVICE MAY BE
IMPOSED.

(f) **Sale of Single Cigarettes Prohibited.** It shall be unlawful for any business proprietor, manager or other person in charge or control of a retail business of any kind to sell or offer to sell single cigarettes or any pack of cigarettes containing fewer than 20 cigarettes.

(g) **False or Altered Identification.** It shall be unlawful for any person under the age of 18 years of age to misrepresent that person's identity or age, or use any false or altered identification for the purpose of purchasing any tobacco product.

(h) **Penalty.** Any person who violates any provision hereof is guilty of a petty offense and upon conviction shall be subject to:

(1) A fine of up to \$50.00 for the first offense; a fine of up to \$100.00 for the second offense; a fine of up to \$500.00 for a third offense; and up to \$1,000 for each subsequent offense; and one year in jail;

(2) Except that a minor shall not be subject to any jail time but may be required to pay a fine not to exceed \$500.00, as provided, and may be required to perform not more than 48 hours useful public service (which may include educational efforts or programs) or any combination of fine, public service and education.

(i) **Savings Clause.** Should any provision of said ordinance be found by a court of competent jurisdiction to be unconstitutional or otherwise unenforceable, the rest of the provisions hereof shall remain in full force and effect.

12.08.050 Regulations.

(a) The Parks and Recreation Advisory Board shall propose for adoption by the City Council necessary and reasonable rules and regulations applicable to the use of the riverfront trails, those areas adjacent to the trails and the bodies of water which are owned or controlled by the City and/or the Riverfront Commission, which may be accessed from or are near the trails. The City Council may amend or add to those regulations as may be necessary from time to time to carry out the intent of the Parks Board and/or the intent of the Council.

(b) The City Manager shall cause one certified copy of the regulations adopted under this section, together with the most recent amendments thereto, to be filed with the City Clerk. The City Manager shall make available additional copies at the Office of Parks and Recreation for review by the general public.

(c) The adopted regulations shall have the force and effect of law with respect to all persons who use or visit any of the riverfront trails.

(d) The riverfront regulations promulgated hereunder shall include, but not necessarily be limited to, prohibiting motorized vehicles, except wheelchairs and motorized bicycles as otherwise , maintenance of emergency vehicles, on the trails; prohibiting boats, vessels or craft in the waterways; closing the trails at set times; prohibiting glass containers; prohibiting the possession, consumption or use of ~~malt beverages containing more than 3.2 percent alcohol by weight, spirituous or vinous liquor,~~ requiring animals to be leashed; prohibiting animals or animals of certain species; and allowing camping, vending or commercial activities by permit only.

(e) After review by the Parks and Recreation Advisory Board, but prior to recommendation of adoption by the Board, any and all regulations shall be submitted to the City Council for its comments, consideration and concurrence, if any.

Introduced on first reading the 19th day of December, 2018 and ordered published in pamphlet form.

Adopted on second reading this 20th day of February, 2019 and ordered published in pamphlet form.

ATTEST:

W Winkelman

Wanda Winkelmann
City Clerk

Brent Butler
Mayor Pro Tem



CITY OF GRAND JUNCTION

PARKS CLASSIFICATION

December 2018

**Classification of Each City Park and Hours
During Which Public Use or Access Is Prohibited**

11:00 P.M. – 5:00 A.M. Community/Regional & Neighborhood Parks with formal programmable sports facilities.

Park

Canyon View

Columbine

Las Colonias

Lincoln

Matchett

10:00 P.M. – 5:00 A.M. Neighborhood and Mini Parks

Park

Autumn Ridge

Cottonwood Meadows

Darla Jean

Desert Vista

Dixson

Duck Pond Orchard Mesa

Duck Pond Ridges

Eagle Rim

Emerson

Hawthorne
Hidden Valley
Hillcrest
Honeycomb
Lilac
Rocket
Paradise Hills
Pineridge
Riverside
Shadow Lake
Sherwood
Spring Valley I
Spring Valley II
Tot Lot – Ridges
Washington
Westlake, including Skate Park
Whitman
Williams

10:00 P.M. – 5:00 A.M. Open Spaces and Undeveloped Parks

Open Space

Ridges Open Space

Undeveloped

Burkey – North

Burkey – South

Flint Ridge

Horizon

Saccommanno

10:00 P.M. – 5:00 A.M. Cemeteries

Site

Crown Point Cemetery

Municipal Cemeteries (Orchard Mesa)

10:00 P.M. – 5:00 A.M. School District IGA Sites

(except during school hours)

Site

Bookcliff Middle School

Chipeta Elementary School

East Middle School

Orchard Mesa Middle School

Pear Park Elementary School

Pomona Elementary School

(including Kronkright Softball Complex)

West Middle School

Wingate Elementary School

I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 4832 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 19th day of December, 2018 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 20th day of February, 2019, at which Ordinance No. 4832 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 22nd day of February, 2019.



Deputy City Clerk

Published: December 21, 2018
Published: February 22, 2019
Effective: March 24, 2019