

ORDINANCE NO. 2606

AN ORDINANCE CREATING SECTIONS 20-21 THROUGH 20-25 OF THE CODE OF ORDINANCES PROVIDING FOR THE REGULATION OF THE RIVERFRONT TRAILS IN THE CITY OF GRAND JUNCTION.

WHEREAS, the City Council for the City of Grand Junction finds that recreational opportunities on the Riverfront trails system are maximized by the safe and efficient use of said trails system, and

WHEREAS, the City Council finds that appropriate regulations of the trails system protect and preserve the trails and the unique natural features of the riverfront, and

WHEREAS, the City desires to ensure the continued use of the trails and benefit to the citizens of the City;

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO THAT THE FOLLOWING ORDINANCE IS HEREBY ADOPTED, AS A PART OF THE CITY CODE:

20-21 Purpose: The purposes of this section are to:

1. Establish formal policies and regulations for the use and conduct of the users' of the Riverfront trails;
2. Protect the public by assuring that regulations are in place for the safety of trail users;
3. Protect the public from unsafe and unsanitary activities occurring on the trails; and
4. Allow for the orderly and lawful operation of the trail system.

20-22 Exemptions: These provisions shall not apply to:

1. Maintenance vehicles and maintenance activities which are approved by the Parks and Recreation Director or his designee and are conducted on the trails or in the vicinity of the trails; nor
2. Emergency vehicles, activities and/or equipment authorized by the City, used on or near the trails.

20-23 Regulations:

1. The Parks and Recreation Advisory Board shall propose Riverfront regulations for adoption by the City Council. 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.
2. The Parks Director shall cause one certified copy of the adopted regulations, together with the most recent amendments

thereto, to be filed with the City Clerk. The Director shall make available additional copies at the office of Parks and Recreation for review by the general public.

3. 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. Any person eighteen (18) years of age or older or any partnership, firm or corporation who violates any provision of this ordinance or the regulations promulgated hereunder shall be subject to a fine of up to one thousand dollars (\$1000.00) and/or up to ninety (90) days in jail or any combination thereof. Any person under eighteen (18) years of age who violates any provision of this ordinance or the regulations promulgated hereunder shall be subject to a fine up to one thousand dollars (\$1000.00) and/or be required to perform useful public service not to exceed forty-eight (48) hours or any combination thereof.

4. The Parks and Recreation Advisory Board shall propose 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 of Grand Junction and/or The Riverfront Commission, which may be accessed from or are near to the trails.

5. The Riverfront regulations promulgated hereunder shall include, but not necessarily be limited to; prohibiting motorized vehicles, except wheelchairs, maintenance and 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 three and two tenths 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.

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

20-24 Severability:

1. If any provision of this Ordinance or the regulations promulgated hereunder, is held to be invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions or application of this Ordinance which can be given effect without the invalid provision(s), and to this end the provisions of this Ordinance and the regulations promulgated hereunder, are declared to be severable.

2. No duty or duties not otherwise created or implied by law are or shall be created by the adoption of this ordinance or the regulations authorized hereunder or the adoption or enforcement thereof.

20-25 General Definitions:

1. Unless otherwise specifically provided, or required by the context, the terms contained herein and in the regulations promulgated hereunder shall be read, interpreted and construed consistently and in accordance with the ordinances of the City of Grand Junction and the laws of the State of Colorado.

2. "Trails" or "Riverfront trails" or "Riverfront", as those terms are used herein, shall mean those areas, facilities, lands and waters as identified on the attached map entitled "Riverfront Map," which map is incorporated herein by this reference. The Parks Director, or his designee, shall provide to the Parks and Recreation Advisory Board updated and revised maps of the Riverfront as additional trails, lands, lakes or facilities are acquired, placed or constructed. The most current map shall be attached to and incorporated by reference into this ordinance and shall constitute the "Riverfront Map". The substitution of maps and incorporation thereof by reference, shall not necessitate re-adoption of this Ordinance.

PASSED and ADOPTED this 21st day of October, 1992.

Attest:

NAME

President of the Council

Neva B. Lockhart, CMC

City Clerk

I HEREBY CERTIFY that the foregoing ordinance, being Ordinance No. 2606, was introduced, read, and ordered published by the City Council of the City of Grand Junction, Colorado, at a regular meeting of said body held on the 7th day of October, 1992, and that the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, at least ten days before its final passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 22nd day of October, 1992.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk

Published: October 9, 1992
Published: October 23, 1992
Effective: November 22, 1992

REGULATIONS FOR THE RIVERFRONT TRAILS IN THE CITY OF GRAND JUNCTION.

1. Purpose: The purposes of these regulations are to:

A. Enact formal policies and regulations for the use of and conduct of the users of the Riverfront trails;

B. Protect the public by assuring that regulations are in place for the safety of trail users;

C. Protect the public from unsafe and unsanitary activities occurring on the trails;

D. Allow for the orderly and lawful operation of the trail system.

E. Preserve the public investment in the trail system.

2. Exemptions:

A. These regulations shall not apply to maintenance or emergency vehicles and such activities conducted on the trails or in the vicinity of trails, which are approved by the Parks and Recreation Director or his designee.

B. Section 4.B.9 of these regulations shall not apply to the discharge of firearms or weapons by any certified peace officer in the course of his/her official duty or to the discharge of weapons or firearms by participants in authorized classes or activities conducted under the supervision of the Parks and Recreation Department Director or his designee.

3. Violation-Penalty:

A. The adopted regulations shall have the force and effect of law with respect to all users of, or visitors to, the Riverfront trails. Any person eighteen (18) years of age or older or any partnership, firm or corporation who violates any provision of the adopted regulations shall be subject to a fine up to one thousand dollars (\$1000.00) and/or up to ninety (90) days in jail or any combination thereof. Any person under eighteen (18) years of age who violates any provision of this ordinance or the regulations promulgated hereunder shall be subject to a fine up to one thousand dollars (\$1000.00) and/or be required to perform useful public service not to exceed forty-eight (48) hours or any combination thereof.

4. Regulations Relating to Riverfront Trails, Lands and Waters:

A. Riverfront trails, lands and waters shall mean all trails, surfaced or un-surfaced, 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 on any of the Riverfront trails or lands of the Riverfront except as may be authorized by the City of by signs or except for motorized wheelchairs, maintenance or emergency vehicles. Motor vehicle shall be as defined in 41-1-102(44, 45, 46 & 47) 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 10:00 p.m. to 5:00 a.m.

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 percent alcohol by weight which are served or consumed from non-glass 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 (6) 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 such is by the authority of a camping permit issued by the Department of Parks and Recreation of the City of Grand Junction. Possession of a valid camping 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. "Camp" means the use of camping equipment or facilities such as tents, tarpaulins or temporary shelters or the use of temporary cooking and bedding facilities such as open fires, camp stoves and cots, bedrolls, hammocks or sleeping bags.

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. 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.

The foregoing regulations having been duly promulgated and the public having had opportunity to comment on the propriety of said regulations, said regulations are hereby adopted this 21st day of October, 1992.

Parks and Recreation Advisory Board

by:

City of Grand Junction

by:

Ted L. Novack
Director of Parks and Recreation