

**TOWN OF RED CLIFF, COLORADO
ORDINANCE 1, SERIES 2020**

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF RED CLIFF, COLORADO, AMENDING CHAPTER 8 OF THE RED CLIFF MUNICIPAL CODE BY ADDING REGISTRATION REQUIREMENTS FOR NON-STREET LEGAL MOTORIZED RECREATIONAL VEHICLES

WHEREAS the Town of Red Cliff, Colorado (the “Town”) is a statutory municipal corporation duly organized and existing under the laws of the State of Colorado and possessing the maximum powers, authority and privileges to which it is entitled under Colorado law; and

WHEREAS, the Model Traffic Code contained in the Red Cliff Municipal Code (the “Code”) currently does not allow the use of certain motorized recreational vehicles on public streets and highways under the jurisdiction of the Town;

WHEREAS, the Town staff has recommended to the Town Board of Trustees (the “Board”) that in certain circumstances, and where certain requirements are met, the use of certain non-street legal motorized recreational vehicles on certain public streets and highways under the jurisdiction of the Town should be permissible; and

WHEREAS, the Board finds that allowing the use of certain non-street legal motorized recreational vehicles on certain public streets and highways under the jurisdiction of the Town should be permissible where certain requirements are met, as set forth in the provisions of this ordinance, is in the best interest of the health, safety and general welfare of the residents and visitors of the Town of Red Cliff.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF RED CLIFF, COLORADO:

Section 1. The foregoing Recitals are incorporated by reference herein as findings and determinations of the Board.

Section 2. That a new Article 4 is added to Chapter 8 of the Code and shall read as follows:

ARTICLE 4

NON-STREET LEGAL MOTORIZED RECREATIONAL VEHICLES

- 8-4-10 Purposes
- 8-4-20 Definitions
- 8-4-30 Non-street Legal Motorized Recreational Vehicles

Sec. 8-4-10. Purpose.

The purpose of this Article is to permit the use of certain non-street legal motorized recreational vehicles on certain public streets and highways under the jurisdiction of the Town where the requirements of this Article are satisfied.

Sec. 8-4-20. Definitions.

“Non-street legal motorized recreational vehicle” shall mean any motorized recreational vehicle not

otherwise permitted on public streets and highways under the jurisdiction of the Town under this Chapter 8 and the other provisions of the Red Cliff Municipal Code , but which shall otherwise be permitted on the Town’s public streets and highways pursuant to the requirements of this Article 4.

Sec. 8-4-30. Non-street Legal Motorized Recreational Vehicles.

(A) Except as otherwise provided in the Red Cliff Municipal Code, non-street legal motorized recreational vehicles shall be prohibited on Town public streets and highways; provided that, non-street legal motorized recreational vehicles shall be permitted from the east end of Turkey Creek Road to the northeast corner of the parking lot located at 166 Eagle Street.

(B) In order to use non-street legal motorized recreational vehicles from the west end of Turkey Creek Road onto any roads within the Town of Red Cliff, the owners of such vehicles shall register the same with the Town each calendar year before March~~31~~ of that year. The Board of Trustees shall set the annual fee for such registration. Registration shall be free for residents of the Red Cliff where such non-street legal motorized recreational vehicles are registered by March~~31~~ of the current calendar year.

(C) Except as otherwise set forth in this Article 4, the provisions of this Chapter 8 and any other provisions of the Red Cliff Municipal Code applicable motorized vehicles and traffic shall govern and control the use and operation of non-street legal motorized recreational vehicles, including, without limitation, fines and penalties for violations.”

Section 3. Severability. If any part or provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which may be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are declared to be severable.

Section 4. Savings Clause. Except as amended hereby, the Red Cliff Municipal Code, as previously amended, shall remain valid and in full force and effect. Any provision of any ordinance previously adopted by the Town which is in conflict with this ordinance is hereby repealed as of the enforcement date hereof.

INTRODUCED, TITLE READ IN FULL, APPROVED ON FIRST READING AND ORDERED POSTED IN FULL THIS 7th DAY OF JANUARY, 2020. A public hearing on the SECOND READING of this Ordinance 1, Series 2020, will be held at the regular meeting of the Board of Trustees of the Town of Red Cliff on the 21st day of January, 2020, at 7:00 p.m. in the Town Hall of the Town of Red Cliff.

BOARD OF TRUSTEES OF TOWN OF RED CLIFF,
COLORADO



Duke Gerber, Mayor

ATTEST:

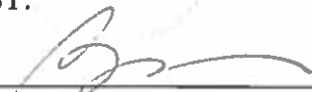


Barb Smith, Town Clerk

ADOPTED AND ORDERED PUBLISHED by a vote of 4 to 1 at a duly noticed public meeting held by the Town of Red Cliff Board of Trustees this 21st day of January, 2020.

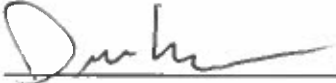


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Barb Smith, Town Clerk

BOARD OF TRUSTEES OF TOWN OF RED CLIFF,
COLORADO



Duke Gerber, Mayor