

**TOWN OF RED CLIFF, COLORADO
RESOLUTION 3, SERIES 2019**

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF RED CLIFF, COLORADO, REGARDING CONDITIONS OF APPROVAL OF SPECIAL REVIEW USE PERMIT FOR A MECHANIZED RECREATIONAL VEHICLE RENTAL BUSINESS LOCATED AT 127 & 147 WATER STREET

WHEREAS, on June 4, 2019, Board of Trustees of the Town of Red Cliff (“Town”) granted conditional approval of a special review use permit to Rocky Mountain Adventure Rentals, LLC for a mechanized recreational vehicle rental business located at 127 and 147 Water Street (the “RMAR Business”); and

WHEREAS, Section 16-7-100 of the Red Cliff Town Code sets forth requirements and conditions of general applicability for all mechanized recreational businesses in the Town; and

WHEREAS, due to the location of the RMAR Business in the heart of the Town’s center and the additional complexities that location may present, the Board of Trustees imposed additional requirements and conditions on its approval of the special review use permit for the RMAR Business, in addition to those set forth in Section 16-7-100; and

WHEREAS, this Resolution documents the conditions of approval of the special review use permit for the RMAR Business.

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

Section 1: The foregoing recitals are incorporated by reference herein as findings and determinations of the Town Board of Trustees.

Section 2: The special review use permit for the RMAR Business is subject to and conditioned on the following requirements and conditions:

- A. Requirements and conditions of Town Code Section 16-7-100(b):
 1. Except in the case of emergency, permit holders shall not rent any mechanized recreational vehicle or allow any person to operate a rented mechanized recreational vehicle outside the hours of 8:00 a.m. to 5:00 p.m.;
 2. Permit holders shall clearly mark all mechanized recreational vehicles available for rent with an individualized badge, sticker or similar identifying mark sufficient to allow Town staff or members of the public to readily identify the vehicle as a rental vehicle and the permit holder to whom such vehicle belongs, which badge, sticker or similar identifying mark will be approved by the Planning Director prior to commencement of the use;
 3. Permit holders shall not modify or alter mechanized recreational vehicles available for rent in such a way as to increase the normal operating decibel level of such vehicles above factory specifications;

4. Permit holders shall not rent any mechanized recreational vehicle which has a non-stock muffler, no muffler, a muffler which is not in good working order or a muffler which fails to prevent excessive or unusual noise or annoying smoke;
5. Permit holders shall not rent any mechanized recreational vehicle with a tuned exhaust or racing engine not having a conventional exhaust;
6. Permit holders shall cause the renters of rented mechanized recreational vehicles to operate the vehicles only on those streets, roads and pathways within the Town's boundaries designated to the permit holder by the Planning Director;
7. Permit holders shall cause the renters of rented mechanized recreational vehicles to observe all applicable federal, state, and local rules, regulations, standards, statutes, and ordinances governing the use and operation of mechanized recreational vehicles while operating such vehicles within the Town's boundaries;
8. Permit holders shall cause the renters of rented mechanized recreational vehicles to drive in a single-file line as near as safely possible to the right-hand side of the roadway, to come to a complete stop at the intersection of every street whether or not such intersection is marked with a stop sign, signal all turns, yield the right-of-way to all other vehicular traffic, travel at no more than 15 miles per hour and keep headlight and taillights illuminated at all times while operating the vehicles within the Town's boundaries; and
9. Permit holders shall be required to pay all mechanized recreational vehicle rental business special review use permit fees established by the Town or, in lieu of payment of such fees, provide such in-kind services to the Town as are determined and agreed to by the Planning Director.

B. In addition to the requirements and conditions of Town Code Section 16-7-100(b), set forth in Part A above, the special review use permit for the RMAR Business is subject to the following additional requirements and conditions. If any of the following requirements or conditions conflicts with the requirements or conditions of Town Code Section 16-7-100(b), then the requirement or condition set forth in this Part B shall govern and control.

1. The days of operation for the RMAR Business are restricted to Dec 15 - April 1 and June 21 - Oct. 21 for rentals; and
2. The operating times shall be restricted to 8:30 a.m. thru 5:30 p.m., except in the case of an emergency and no machines may be started prior to 9:00 a.m.
3. All rentals, groups, and single riders must be led/accompanied into and out of Town by an employee of the RMAR Business; and
4. For the purpose of keeping the Town's children safe, an employee of the RMAR Business must be present at the school bus stop each morning and afternoon during the school year to guide any rental patrons that are leaving or returning to Town. during school bus times.

- C. Pursuant to Town Code Section 16-7-100(c), the special review use permit for the RMAR Business shall be subject to annual review by the Planning Commission to determine whether Rocky Mountain Adventure Rentals, LLC has observed and adhered to all requirements and conditions of the permit.

Section 4. This Resolution shall become effective immediately.

INTRODUCED, READ, PASSED, AND ADOPTED at a regular meeting of the Board of Trustees of the Town of Red Cliff, Colorado, held on July 2, 2019.

BOARD OF TRUSTEES OF THE
TOWN OF RED CLIFF, COLORADO



Duke Gerber, Mayor

ATTEST



Barb Smith, Town Clerk