

**TOWN OF RED CLIFF  
RESOLUTION 5, SERIES 2021**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF RED CLIFF, COLORADO TO ADOPT RULES AND REGULATIONS FOR THE PROPER SUPERVISION AND GOVERNMENT OF ITS OPEN SPACE PARKS.**

**WHEREAS**, the Town of Red Cliff, Colorado (“Town” or “Red Cliff”) is a is a statutory town and political subdivision of the State of Colorado, duly organized and operating under the constitution and laws of the State of Colorado and the Town Municipal Code (the “Code”); and

**WHEREAS**, the Town owns and manages certain property as open space parks; and

**WHEREAS**, C.R.S. § 31-25-303 provides that towns shall establish and maintain necessary rules and regulations for the proper supervision and government of parks; and

**WHEREAS**, Red Cliff Municipal Code § 11-3-20 provides that the Board shall adopt rules and regulations governing the supervision of the Town parks and cemetery; and

**WHEREAS**, the Red Cliff Board of Trustees finds it is in the best interests of the health, welfare, and safety of the residents of the Town of Red Cliff to adopt rules and regulations for the proper supervision and government of the Town’s Open Space Parks.

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

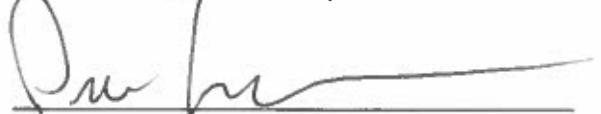
**Section 1.** **Recitals.** The foregoing recitals are hereby incorporated as findings and determinations of the Red Cliff Board of Trustees.

**Section 2.** **Rules and Regulations.** The Town of Red Cliff Open Space Parks Rules and Regulations as forth in **Exhibit A** to this Resolution are hereby adopted.

**Section 3.** Upon adoption hereof, this Resolution shall be recorded in a book kept for that purpose and shall be authenticated by the signatures of the Mayor and Town Clerk.

**INTRODUCED, READ, AND PASSED THIS 14 DAY OF SEPTEMBER, 2021.**

TOWN OF RED CLIFF, COLORADO



Duke Gerber, Mayor

ATTEST:

  
Melissa Matthews, Town Clerk

**TOWN OF RED CLIFF, COLORADO  
PARKS AND OPEN SPACE  
RULES AND REGULATIONS**

**SECTION I: GENERAL**

**Purpose.** To regulate and control Parks, certain other lands and facilities and Open Space Lands, owned and managed by the Town of Red Cliff (the “Town”) by adopting the rules and regulations listed herein.

**Enforcement.** These Rules and Regulations shall be enforced by the Eagle County Sheriff or the Code Compliance Officer.

**Violation.** It shall be unlawful for any person to violate any provision of these rules and Regulations in any Parks or Open Space lands.

**Penalties.** Any person who violates any of these rules and regulations in any Open Space Park commits a Class 2 Petty Offense and, upon conviction thereof, shall be punished by a Fine of Fifty Dollars (\$50.00) for each separate violation. The penalty assessment procedure provided in § 16-2-201, C.R.S., may be followed by the issuing officer for any such violation of these rules and regulations.

In the event an individual is charged with subsequent Offenses, the fine shall increase to One Hundred Dollars (\$100.00), for a second violation, and shall increase by One Hundred Dollars (\$100.00) for each violation thereafter, up to a Maximum of Three Hundred Dollars (\$300.00). The foregoing penalties are in addition to any penalties which may apply to enforcement of these rules as misdemeanors pursuant to § 18-9-117, C.R.S., when said rules and regulations have been prominently posted as provided in § 18-9-117, C.R.S.

**Scope.** These rules and regulations shall apply to all Town-owned or operated Parks and Open Spaces within The Town of Red Cliff. These rules and regulations shall in no way limit Application and enforcement of any Resolution, Ordinance, or lawful order of the Town, County or the statutes of the State of Colorado, but shall be in addition thereto.

**Disposition of Fines.** All fines and forfeitures for the violation of these rules and regulations and all monies collected by the Town for violation thereof shall be paid to the Town Clerk’s Office.

**Severability.** If any part or parts of these rules and regulations are for any reason held to be invalid, such provision shall not affect the validity of the remaining portions of these rules and regulations. The Board hereby declares that it would have passed this ordinance, these rules and regulations, and each part or parts thereof, irrespective of the fact that any one part or parts are declared invalid.

**SECTION II: DEFINITIONS**

“Open Space Park” shall mean, wherever used in these rules and regulations, all Town owned property dedicated as public recreation lands and all trails, waters, buildings, structures, roads, parking lots, and facilities located on such lands.

“Motorized Vehicle” shall mean any vehicle that is not self-propelled.

“Law Enforcement Officers” shall mean the Eagle County Sheriff, Undersheriff, and his deputies.

“Town Official” shall mean a designee by the Board of Trustees.

### SECTION III. PROHIBITIONS

It shall be unlawful, unless otherwise approved in writing by the Town of Red Cliff for any person:

A. Closures.

(i) To enter, use or occupy any Open Space Park lands, or any portion thereof, during the time such lands, or any portion thereof, are closed to entry, use or occupancy, including seasonal closures.

B. Resource Protection.

(i) To remove, destroy, mutilate, deface or damage any building, structure, facility, fence, sign, marker, rock, vegetation, or other object located on Open Space Park lands.

(ii) To construct, place, or maintain any kind of road, trail, structure, signs, markers, fence, enclosure, communication equipment or other improvements on Open Space Park lands.

(iii) To excavate, dig, or disturb the ground of any Open Space Park lands, including but not limited to any rock, soil, sediment or vegetable matter.

(iv) To walk, run, jog, hike, bicycle, or ride a horse off-trail, on any Open Space Park lands that contain a trail.

(v) To climb on, deface, or destroy any fences or structures in the park.

(vi) To collect firewood on any Open Space Park lands without permission from the Town Board.

C. Motorized Vehicles.

(i) To operate any motorized vehicle on any Open Space Park lands, except on designated roadways and parking lots, which are open to public use. Emergency, maintenance, and patrol vehicles are specifically excluded.

(ii) To operate without written authorization by the Town Board, a motorized vehicle upon any roadway located on Open Space Park lands that is designated as a “service road.”

D. Garbage and Refuse.

(i) To deposit or leave any refuse, trash, litter, household, construction debris, or commercial garbage or trash, including but not limited to brush, lawn trimmings, and Christmas trees, in or upon any Open Space Park lands.

(ii) To use trash receptacles at the park for depositing large quantities of personal, residential, or commercial trash.

E. Fires.

(i) To build, start, or light any fire of any nature on any Open Space Park lands except within designated areas with a permit approval from the Town Board.

Exhibit A to Resolution No. 5, Series 2021  
Town of Red Cliff  
Parks and Open Space Rules and Regulations

(ii) To build, start, or light any fire of any nature in an outdoor fireplace grill or camp stove, or any other place whatsoever, even within designated areas, on Open Space Park lands at any time that Eagle County has passed a resolution banning such fires due to fire danger in the Town, County or neighboring areas.

(iii) To burn any material in a careless manner, or to leave any fire unattended, or to fail to completely extinguish any fire, on any Open Space Park lands.

F. Wildlife.

(i) To feed, hunt, trap, catch, molest, take, harass, harm, or kill any wild animal, bird, fish, reptile or amphibian or to disturb their habitat, on any Open Space Park lands.

(ii) To allow domestic pets to harm, kill, chase, or otherwise harass any wild animal, bird, fish, reptile or amphibian on any Open Space Park lands.

(iii) To relocate or release animals, fish, birds, or insects onto any Open Space Park lands without the written permission of the Town Board and approval from Colorado Department of Wildlife.

G. Pet Animals.

(i) To fail to observe all rules and regulations set by the Eagle County Animal Control Department and adopted by the Board of Trustees of the Town.

H. Firearms, weapons, and projectiles.

(i) To discharge any firearm, including but not limited to B-B guns, pellet guns, paint ball guns, and air guns on any Open Space Park lands, except at an approved special event.

(ii) To discharge any archery equipment, including but not limited to bows, longbows, crossbows, arrows, darts, and bolts on any Open Space Park lands, except at an approved special event.

(iii) To discharge any device capable of discharging any projectile by any means whatsoever, including but not limited to slingshots and wrist rockets or any Open Space Park lands.

(iv) To ignite or launch any model rocket or any Open Space Park lands.

(v) To use, ignite, or fire any fireworks or explosives, on any Open Space Park lands, except in designated areas when authorized in writing by the Town Board.

(vi) To hit golf balls.

I. Camping, Parking, and Hours.

(i) To park vehicles or trailers on any Parks or Open Space lands where prohibited or in such a manner as to create a hazard to vehicular, pedestrian, equestrian, or bicycle traffic, except at an approved special event.

(ii) To camp overnight, or to park a trailer or camper for overnight camping purposes, on any Open Space Park lands; or to camp, or to park a trailer or camper, in such a designated area for a period of time in excess of the posted or permitted limits, except for an approved special event.

Exhibit A to Resolution No. 5, Series 2021  
Town of Red Cliff  
Parks and Open Space Rules and Regulations

(iii) To enter, use or occupy Park and Open Space lands between the hours of 10:00 p.m. and 5:00 a.m.

J. Commercial Activities. To conduct any commercial activity, or provide any service, product or activity for which a fee is charged, on any Open Space Park lands, except when such activity is authorized in writing by Town of Red Cliff.

K. Alcoholic Beverages and Containers

(i) For any person to consume any alcoholic beverage, except when authorized by special permit of the Town Board.

(ii) To carry, possess or discard any glass container or bottle on any Open Space Park lands.

M. To interfere or attempt to interfere with any Town Official or volunteer while in the performance of their official duties, or to give false or misleading information with the intent to mislead said person in the performance of their duties.

#### **SECTION IV: ADDITIONAL PROVISIONS**

A. Violation of any of these rules and regulations shall be grounds for eviction from the property.

B. These regulations shall not be applicable to nor prohibit any act by an officer, employee, or contractor of the Town who is engaged in the performance of any act within the scope of his or her employment.

C. Organized events for recreational, athletic, social, training, or educational purposes are allowed only by Special Use Permits issued by the Town Board.

D. Any person entering any Open Space Park lands accepts full responsibility of any and all risks that may be present or may develop during their presence on such lands.