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Title 7

PARKS AND RECREATION

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Chapter 7.04

Park and Recreation Areas

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7.04.010 Applicability.

Unless otherwise provided, this title applies to all parks, parkways, recreation areas, open spaces and trails belonging to the city or within the possession and control of the city, whether located within or without the corporate boundaries of the city, including without limitation Elkhead Reservoir. (Ord. 811 §1(part), 1995)

7.04.020 General regulations.

No person shall:

A. Camp, lodge or sleep in any city park, parkway, recreation area, open space, trail or other public place owned or operated by the city between the hours of 9:00 p.m. and 7:00 a.m., except in campgrounds designated by the city manager after paying the appropriate fee.

B. Deposit, leave, dump or cause to be deposited, left or dumped any trash, refuse, garbage or rubble in any city park, parkway, recreation area, open space, trail or other public place owned or operated by the city, other than within those containers specifically designated for the deposit of such materials.

C. Deposit, leave, dump or cause to be deposited, left or dumped any trash, refuse, garbage or rubble in any designated container in any city park, recreation area, open space, trail or other public place owned or operated by the city unless such material originated from lawful activity in such area.

D. Wash dishes, empty waste liquids or in any other manner pollute the water of any fountain, pond, lake, stream or ditch in any city park, parkway, recreation area, open space, trail or other public place owned or operated by the city.

E. Urinate or defecate in any city park, parkway, recreation area, open space, trail or other public place owned or operated by the city unless using a receptacle that has been provided for that purpose that stores or disposes of the waste in a sanitary manner.

F. Display or offer for sale any article or thing, erect a stand, or use a car or other vehicle for the sale or display of any article or thing, within any park, parkway, recreation area, open space, trail or other public place owned or operated by the city unless authorized to do so by the city manager.

G. Fill, destroy, damage, redirect or otherwise tamper with culverts, drainage ditches, waterways or dams within a park, parkway, recreation area, open space, trail or other public place owned or operated by the city unless authorized to do so by the city.

H. Climb on any building or other structure belonging to the city or under the possession and control of the city without having first obtained authorization from the city manager.

I. Enter any property belonging to the city or under the possession and control of the city that is fenced or otherwise designed to exclude intruders or is posted with signs that forbid entry without having first obtained authorization from the city manager.

J. Enter, bathe in or use a public or other swimming pool or other place of public entertainment within the city during the hours when closed or without having paid the required fee therefor or without having procured a ticket, permission or other license for such purpose.

K. Take, seize, injure, mutilate or cut any tree, plant, shrub, bloom or flower growing in any city park, parkway, recreation area, open space, trail or other public place owned or operated by the city, or remove any wood, turf, grass, soil, rock, sand or gravel, without having first obtained authorization from the city manager.

L. Allow or permit pets to be within the Elkhead Recreation Area without being on a leash or otherwise under control at all times. (Ord. 811 §1(part), 1995)

7.04.030 City manager may adopt and issue additional rules.

A. The city manager may adopt additional rules for the management, operation and control of city parks, parkways, recreation areas, open spaces and trails, and for the use and occupancy, management, control, operation, care, repair and maintenance of all structures and facilities thereon and all land on which they are located and operated. The city manager may adopt rules, including without limitation, for:

1. Preservation of property, vegetation, wildlife, signs, markers, buildings or other structures, and any object of scientific or historic value or interest;
2. Restriction on or limitation of the use of any area or trail according to time, type and manner of activities;
3. Prohibition of conduct that may reasonably be expected to interfere substantially with the use and enjoyment of parks, parkways, recreation areas, open spaces and trails by the general public or that constitutes a nuisance;
4. Maintenance of reasonable and necessary sanitation, health and safety;
5. Place, time and manner of camping and picnicking, if allowed;
6. Place, time and manner of operating boats and vehicles, if allowed;
7. Control and limitation of fires and designation of places where fires are permitted; and
8. Other requirements that are reasonable and necessary for the preservation and management of parks, parkways, recreation areas, open spaces and trails.

B. No person shall violate any rule issued by the city manager under this section. (Ord. 811 §1(part), 1995)

7.04.040 Fires.

A. No person shall start, maintain or cause to be started or maintained any fire in or on any park, parkway, recreation area, open space or trail, except that fires may be permitted between the hours of 6:00 a.m. and 9:00 p.m. for the purpose of preparing food, provided that the fire is within an area designated by the city manager or within a grill erected by the city.

B. The city manager may post signs within any park, parkway or recreation area designating areas where fires will be permitted.

C. The city manager may prohibit the use of fires during periods of fire danger.

D. No person shall leave any park, parkway, recreation area, open space or trail without first having completely extinguished any fire that such person started or maintained. (Ord. 811 §1(part), 1995)

7.04.050 Vehicle regulations.

A. No person other than persons authorized by the city manager shall:

1. Fail to comply with any traffic-control device in a park, parkway, recreation area, open space or trail regulating the operation of motor vehicles;

2. Drive a motor vehicle within any park, parkway, recreation area, open space or trail in excess of the posted speed limit. If no speed limit is posted, then no person shall drive a motor vehicle in excess of twenty (20) miles per hour;

3. Drive a motor vehicle within or upon any part of a park, parkway, recreation area or open space except on designated roadways, parking areas or areas that the city manager designates as temporary parking areas;

4. Drive or park a motor vehicle or motorized bicycle within or upon a trail;

5. Remove or relocate a barricade, barrier or other device erected to control motor vehicle traffic in a park, parkway, recreation area, open space or trail;

6. Park any vehicle in a park, parkway, recreation area, open space or trail in a manner that blocks or impedes travel on or into a designated fire road or other emergency access;

7. Park a motor vehicle in a park, parkway, recreation area or open space in a manner contrary to posted signs;

8. Park a motor vehicle in a park, parkway, recreation area or open space between 12:00 midnight and 5:00 a.m., except parking is permitted during this time period in parks when scheduled events such as softball tournaments are being conducted during all or a portion of these hours.

B. The city manager may post "tow away" no parking zones within any park, parkway, recreation area, open space, trail or other public place owned or operated by the city and impound any vehicle parked in violation of such signs.

C. The city manager may adopt such other vehicle rules or regulations as are reasonable and necessary for the preservation and management of parks, parkways, recreation areas, open spaces and trails. No person shall violate any rule or regulation issued by the city manager under this section. (Ord. 811 §1(part), 1995)

7.04.060 Boating regulations.

A. No person shall:

1. Operate a boat within the Elkhead Recreation Area without having a current registration and numerical identification affixed as required by the State of Colorado, Division of Parks and Outdoor Recreation.

2. Operate a boat without complying with the Colorado Boating Statutes set forth in Article 13 of Title 33, C.R.S., and with the regulations promulgated thereto, as such may be amended from time to time (it is the intention of the city council, by the adoption of this provision, to incorporate by reference as if fully set forth the state statutes and regulations pertaining to boat operation so that a violation of the same may be prosecuted in the municipal court).

B. No one under the age of sixteen (16) may operate a watercraft upon the reservoir without having a parent or guardian present on board, except for a jet ski or sailboard which may be operated by someone under the age of sixteen (16) if a parent or guardian is near and able to observe the child's operation of the jet ski or sailboard at all times.

C. All watercraft must be operated in a counterclockwise direction, except law enforcement watercraft.

D. Watercraft being loaded or unloaded must complete such operation and clear the boat ramp or dock area as expeditiously as possible.

E. No wakes shall be created in areas of five (5) feet of depth or shallower.

F. Watercraft operators must keep a distance of one hundred fifty (150) feet between their watercraft and persons engaged in fishing.

G. The city manager may adopt such other boat rules or regulations as are reasonable and necessary for the preservation and management of parks, parkways, recreation areas, open spaces and trails. No person shall violate any rule or regulation issued by the city manager under this section. (Ord. 811 §1(part), 1995)

7.04.070 Fishing regulations.

A. No person shall:

1. Fish on Elkhead Reservoir without having a current fishing license issued by the State of Colorado, Division of Wildlife.

2. Fish without complying with the Colorado Fishing Statutes set forth in Article 6 of Title 33, C.R.S., and with the regulations promulgated thereto, as such may be amended from time to time (it is the intention of the city council, by the adoption of this provision,

to incorporate by reference as if fully set forth the state statutes and regulations pertaining to fishing so that a violation of the same may be prosecuted in the municipal court).

B. All individuals fishing on the reservoir must show proof of having a valid Colorado fishing license upon demand.

C. Fish may only be cleaned in areas designated for camping, and entrails, scales and other debris from such cleaning must be properly deposited in trash receptacles. (Ord. 811 §1(part), 1995)

7.04.080 Hunting regulations.

A. No person shall:

1. Hunt within Elkhead Recreation Area without having a current hunting license issued by the State of Colorado, Division of Wildlife.

2. Hunt without complying with the Colorado Hunting Statutes set forth in Article 6 of Title 33, C.R.S., and with the regulations promulgated thereto, as such may be amended from time to time (it is the intention of the city council, by the adoption of this provision, to incorporate by reference as if fully set forth the state statutes and regulations pertaining to hunting so that a violation of the same may be prosecuted in the municipal court).

B. All individuals hunting on the reservoir property must show proof of having a valid Colorado hunting license upon demand. (Ord. 811 §1(part), 1995)

7.04.090 Camping regulations.

A. Camping is limited to seven (7) consecutive days. The entire camp site must be vacated for a minimum of twenty-four (24) hours before returning to the camp site.

B. Quiet hours between 10:30 p.m. and 6:00 a.m. shall be observed by all campers, so as not to disturb the peace of others using the campgrounds. (Ord. 811 §1(part), 1995)

7.04.100 Snowmobiles.

No person shall operate or use a snowmobile within or upon any park, parkway, recreation area, open space or trail, except at a place designated and posted for that use by the city manager. (Ord. 811 §1(part), 1995)

7.04.110 Regulation of horses.

A. No owner, agent, employee, operator or concessionaire of any commercial horse stable, riding school or livery shall use any park, parkway, recreation area, open space or trail without first obtaining a permit from the city manager.

B. No person shall ride or lead horses on any landscaped park or recreation area except upon a public equestrian trail so designated by the city manager. (Ord. 811 §1(part), 1995)

7.04.120 Ice skating prohibited.

No person shall ice skate on any body of water in any park, parkway, recreation area, open space or trail, except at a place designated and posted for that use by the city manager. (Ord. 811 §1(part), 1995)

7.04.130 Glass bottles prohibited.

No person shall carry or possess any glass bottle or other glass container in any city park, parkway, recreation area, open space or trail. (Ord. 811 §1(part), 1995)

7.04.140 Compliance with a lawful order or direction.

No person shall fail or refuse to comply with any lawful order or direction of any park and recreation department employee, police officer or peace officer (including police reserve officers) in any park, parkway, recreation area, reservoir, open space or trail. (Ord. 811 §1(part), 1995)

7.04.150 Permits for sound systems required.

No person shall operate any public address system or other amplified sound system in a park, parkway, recreation area, open space or trail without first obtaining a permit from the city manager. (Ord. 811 §1(part), 1995)

7.04.160 Request to lower volume of music system.

When a complaint has been received, a park and recreation department employee, police officer or peace officer (including police reserve officers) may request that a radio, tape player or other music system be turned to a lower volume. No person shall fail to comply with any order or direction to lower the volume of a radio, tape player or other music system so made. (Ord. 811 §1(part), 1995)

7.04.170 Fees.

The city may impose fees for recreational activities open to the public conducted or licensed by the city that the city council determines are reasonably necessary to recover the costs of such activities. No person shall fail to pay a fee so proscribed. (Ord. 811 §1(part), 1995)

7.04.180 Violations.

Any violation of this chapter or of the rules and regulations adopted pursuant to this chapter shall be a misdemeanor punishable as provided in Section 1.08.010. (Ord. 825 §1, 1995; Ord. 811 §1(part), 1995)