

TOWN OF GREEN MOUNTAIN FALLS

ORDINANCE NO. 2023-06

AN ORDINANCE ADDING A NEW ARTICLE 4 TO CHAPTER 8 OF THE TOWN OF GREEN MOUNTAIN FALLS MUNICIPAL CODE TO REGULATE THE OPERATION OF OFF-HIGHWAY VEHICLES

WHEREAS, the Town desires to add a new Article 4 to Chapter 8 of the Town of Green Mountain Falls Municipal Code to allow and regulate the use of off-highway vehicles on Town streets.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF GREEN MOUNTAIN FALLS, COLORADO:

Section 1. Chapter 8 of the Town of Green Mountain Falls Municipal Code is hereby amended by the addition of a new Article 4 as follows:

Sec. 8-60. Definitions. The following definitions shall apply in the interpretation of this article:

Off-highway vehicle (OHV) means any self-propelled vehicle designed to travel on wheels or tracks in contact with the ground, designed primarily for use off the public highway, and generally and commonly used to transport persons for recreational purposes. The term *OHV* shall not include motorcycles not registered and equipped for highway use. The term *OHV* includes ATV's (all-terrain vehicles), but does not include the following:

1. Vehicles designed and used specifically to transport disabled persons;
2. Vehicles designed and used specifically for lawn care, agricultural, logging or mining purposes; or
3. Snowmobiles.

Sec. 8-61. Required equipment and conditions.

OHVs may be operated on City streets, subject to the following required equipment and conditions:

1. A "slow moving vehicle" emblem displayed prominently on the rear of the vehicle or red safety flag so mounted as to be between five and seven feet above the ground. Such emblem or safety flag must be displayed at all times while operating the OHV or golf car on the streets of the Town.
2. Headlights, taillights, and front and rear turn signal lights must be illuminated and in working condition if the OHV is operated between one-half hour after sunset and one-half hour before sunrise. If the vehicle is not

equipped with the above-mentioned lights, operation of the vehicle during the above-mentioned hours is strictly prohibited.

3. Seat belts shall be worn if the vehicle has them as standard equipment.

4. Every passenger must have a designated seat. No sitting on cargo racks or standing on running boards or foot pegs is permitted.

5. All State laws imposing minimum safety and equipment standards for operating an OHV on a public street or roadway shall be complied with, and it is the responsibility of the operator of such vehicle to ascertain and comply with said laws.

Sec. 8-62. Insurance.

Persons operating OHVs shall be in possession of valid liability insurance as required by state law.

Sec. 8-63. Traffic regulation.

A. *Unlawful acts.* It is unlawful for any person to operate an OHV on any street within the Town as follows:

1. Between the hours of 10:00 p.m. and 5:00 a.m.

2. When the vehicle is not equipped for use as described in Section 8-61 above.

3. When the operator fails to observe all vehicle and traffic laws and regulations, except when those provisions cannot reasonably be applied to OHV operation.

B. *Registration, licensing, and insurance.* Registration, licensing, and insurance requirements for OHVs operated on public streets and roadways imposed by State law shall be complied with prior to operating said vehicles. It is the responsibility of the owner and/or operator of the vehicle to ascertain and comply with said laws.

Sec. 8-63. Penalty.

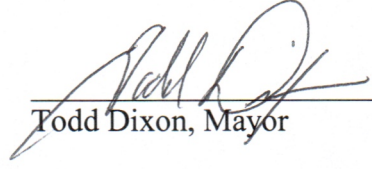
Any person who violates any of the provisions of this Article shall be punished in accordance with the provisions of Section 8-5 of this Code.

Section 2. Severability. If any section, paragraph, clause, or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or enforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance, the intent being that the same are severable.

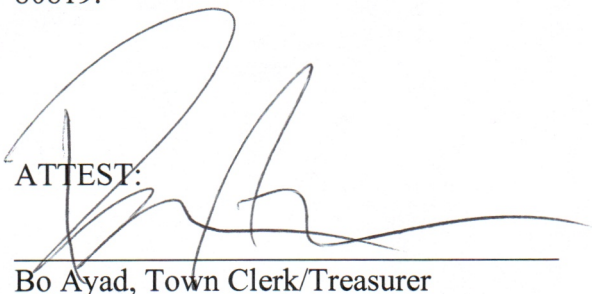
Section 3. Safety. The Board of Trustees finds that the adoption of this Ordinance is necessary for the protection of health, safety, and welfare of the public.

Section 4. Effective Date. This Ordinance shall become effective after final approval and adoption on second reading.

ADOPTED AND ORDERED PUBLISHED the 17th day of October, 2023, at the Green Mountain Falls Town Hall, 10615 Green Mountain Falls Road, Green Mountain Falls, Colorado 80819.



Todd Dixon, Mayor

ATTEST:


Bo Ayad, Town Clerk/Treasurer

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