

ORDINANCE NO. 8

Series 2007

AN ORDINANCE AMENDING CHAPTER 2 OF TITLE 11 OF THE BRECKENRIDGE TOWN CODE BY ADOPTING REGULATIONS GOVERNING THE USE OF THE TOWN'S "CUCUMBER GULCH PRESERVE" OPEN SPACE AREA

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE, COLORADO:

Section 1. The definition of "Town Park" set forth in Section 11-2-1 of the Breckenridge Town Code is hereby amended so as to read in its entirety as follows:

TOWN PARK: All parks and recreation areas under the jurisdiction of the town; town property designated for use by the public as general recreational open space; and recreational pathways intended for use by pedestrians or nonmotorized vehicles, unless expressly exempted. Without limiting the generality of the foregoing, the term "town park" shall apply to those town parks commonly known as "Kingdom park", "Carter park", and the "Riverwalk Center Lawn"; the Town open space area known as "Cucumber Gulch Preserve"; and the recreational pathway commonly known as the "bike path".

Section 2. Section 11-2-6 of the Breckenridge Town Code is hereby amended by the addition of a new Paragraph C.5, to be entitled "Cucumber Gulch Preserve Open Space Area", which shall read in its entirety as follows:

C.5 Cucumber Gulch Preserve Open Space Area: Dogs are prohibited in the Cucumber Gulch Preserve Open Space Area.

Section 3. Section 11-2-7 of the Breckenridge Town Code is hereby amended so as to read in its entirety as follows:

11-2-7: PROHIBITED CONDUCT:

It shall be unlawful for any person in a town park to:

- A. Be in possession of any glass container.
- B. Build, maintain or use a fire, except in a barbecue pit or grill. Any fire shall be continuously under the care and direction of a competent person from the time it is kindled until it is extinguished.
- C. Play golf or engage in archery.
- D. Camp or stay overnight.
- E. Erect or occupy any tent, stand or other structure, except when authorized by a special events permit issued by the Town.
- F. Enter an area posted as "closed to the public".
- G. Be in possession of a firearm, as such term is defined by state law.
- H. Be in or upon any town park during the hours or times when such park is closed.
- I. Fail or refuse to stay on a designated trail.
- J. Fish in any park posted as "no fishing."
- K. Hunt.

Section 4. Section 11-2-8 of the Breckenridge Town Code is hereby amended so as to read in its entirety as follows:

11-2-8: PENALTIES:

It shall be a misdemeanor offense for any person to violate any provision of this chapter. Every person convicted of a violation of any provision of this chapter shall be punished as provided in section 1-4-1 of this code.

Section 5. Except as specifically amended hereby, the Breckenridge Town Code, and the various secondary codes adopted by reference therein, shall continue in full force and effect.

Section 6. The Town Council hereby finds, determines and declares that this ordinance is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the order, comfort and convenience of the Town of Breckenridge and the inhabitants thereof.

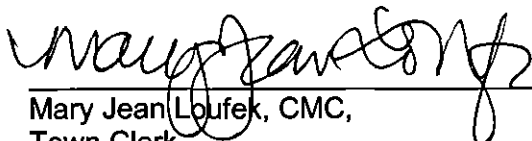
Section 7. The Town Council hereby finds, determines and declares that it has the power to adopt this ordinance pursuant to the authority granted to home rule municipalities by Article XX of the Colorado Constitution and the powers contained in the Breckenridge Town Charter.

Section 8. This ordinance shall be published and become effective as provided by Section 5.9 of the Breckenridge Town Charter.

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL this 13<sup>th</sup> day of February, 2007. A Public Hearing shall be held at the regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 27<sup>th</sup> day of February, 2007, at 7:30 P.M., or as soon thereafter as possible in the Municipal Building of the Town.

ATTEST:

TOWN OF BRECKENRIDGE

  
\_\_\_\_\_  
Mary Jean Loufek, CMC,  
Town Clerk

  
\_\_\_\_\_  
Ernie Blake, Mayor

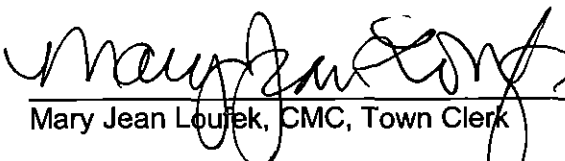
This Ordinance was published in full in the Summit County Journal, a newspaper of general circulation within the Town of Breckenridge on February 23, 2007.

The public hearing on this ordinance was held on February 27, 2007.

READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY, this 27<sup>th</sup> day of February, 2007. A copy of this Ordinance is available for inspection in the office of the Town Clerk.

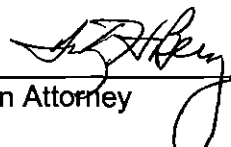
ATTEST:

TOWN OF BRECKENRIDGE

  
\_\_\_\_\_  
Mary Jean Loufek, CMC, Town Clerk

  
\_\_\_\_\_  
Ernie Blake, Mayor

APPROVED IN FORM

  
\_\_\_\_\_  
Town Attorney

2/27/07  
Date

This ordinance was published by title only in the Summit County Journal, a newspaper of general circulation within the Town of Breckenridge on March 9, 2007.