

ORDINANCE NO. 3

Series 2012

AN ORDINANCE AMENDING THE BRECKENRIDGE TOWN CODE CONCERNING PEDAL BUSES

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

Section 1. Section 6-3H-5(A) of the Breckenridge Town Code is amended by the addition of the following definition:

**PEDAL BUS:** As defined in the Town's Traffic Code adopted by reference in Title 7, Chapter 1 of this Code.

Section 2. Section 6-3H-5(G) of the Breckenridge Town Code is amended to read in its entirety as follows:

G. Pedicabs may lawfully be operated on the Riverwalk only from November 1 through the end of the ski season at the Breckenridge Ski Area. It is unlawful to operate a pedicab on the Riverwalk at any other time. It is unlawful to operate a pedal bus on the Riverwalk at any time.

Section 3. The definition of "human powered vehicle" in Section 8-2-3 of the Breckenridge Town Code is repealed.

Section 4. Section 8-2-3 of the Breckenridge Town Code is amended by the addition of a new definition of "Pedicab", which shall read in its entirety as follows:

**PEDICAB:** As defined in the Town's Traffic Code adopted by reference in Title 7, Chapter 1 of this Code.

Section 5. Section 8-2-3 of the Breckenridge Town Code is amended by the addition of a new definition of "Pedal Bus", which shall read in its entirety as follows:

**PEDAL BUS:** As defined in the Town's Traffic Code adopted by reference in Title 7, Chapter 1 of this Code.

Section 6. Section 8-2-14-1 of the Breckenridge Town Code is amended so as to read in its entirety as follows:

**8-2-14-1: SPECIFIC REGULATIONS: SIGNS ON PEDICABS AND PEDAL BUSES:** The following regulations shall apply to signs placed on pedicabs and pedal busses. In the event of a conflict between this section and any other provision of this chapter, the provisions of this section shall control:

A. **Number of Signs Permitted:** Not more than one sign shall be placed on the rear of a pedicab or pedal bus. Not more than one sign per side shall be placed on a pedicab or pedal bus.

B. **Size limitation:** No individual sign on a human-powered vehicle or pedal bus shall exceed four (4) square feet. The total signage that is placed on a human-powered vehicle or pedal bus shall not exceed a combined total of seven (7) square feet in size.

C. **No Illumination:** A sign that is placed on a human-powered vehicle or pedal bus shall not be illuminated; provided, however, this provision shall not prohibit the placement of lighting on a human-powered vehicle or pedal bus that is required for safety, or to comply with any applicable law.

D. **No Double-Sided Signage:** No signage that is placed on a human-powered vehicle or pedal bus shall be double-sided.

E. **Off-Premises Signage Allowed:** A sign that is placed on a human-powered vehicle or pedal bus is exempt from the prohibition against off-premises signage set forth in Section 8-2-15(F) of the chapter.

F. Permit Required: No person shall display, maintain, or use a sign on a human-powered vehicle or pedal bus without a valid sign permit issued pursuant to this chapter.

Section 7. 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 8. 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 9. The Town Council finds, determines, and declares that it has the power to adopt this ordinance pursuant to: (i) the Local Government Land Use Control Enabling Act, Article 20 of Title 29, C.R.S.; (ii) Part 3 of Article 23 of Title 31, C.R.S. (concerning municipal zoning powers); (iii) Section 31-15-103, C.R.S. (concerning municipal police powers); (iv) Section 31-15-401, C.R.S.(concerning municipal police powers); (v) the authority granted to home rule municipalities by Article XX of the Colorado Constitution; and (vi) the powers contained in the Breckenridge Town Charter.

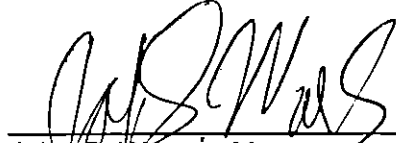
Section 10. This ordinance shall be published and become effective as provided by Section 5.9 of the Breckenridge Town Charter.

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL this 13<sup>th</sup> day of December, 2011. A Public Hearing shall be held at the regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 10<sup>th</sup> day of January, 2012, 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

  
John G. Warner, Mayor

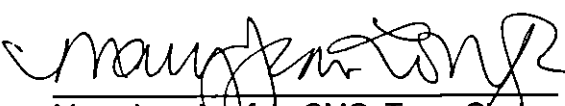
This Ordinance was published in full on the Town of Breckenridge website on December 15, December 16, December 17, December 18, and December 19, 2011.

A public hearing on this ordinance was held on January 10, 2012.

READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED IN FULL ON THE TOWN'S WEBSITE this 10<sup>th</sup> day of January, 2012. 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

  
John G. Warner, Mayor

APPROVED IN FORM

  
Town Attorney

1/10/12  
Date

This Ordinance was published on the Town of Breckenridge website on January 12, January 13, January 14, January 15 and January 16, 2012. This ordinance shall become effective on February 15, 2012.