

ORDINANCE NO. 26

Series 2015

AN ORDINANCE CONCERNING RESTRICTIONS ON CAMPING ON PUBLIC OR PRIVATE PROPERTY

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

Section 1. Section 6-3H-4 of the Breckenridge Town Code is amended so as to read in its entirety as follows:

6-3H-4: CAMPING RESTRICTIONS; CAMPING PERMIT FOR SPECIAL EVENTS:

A. As used in this Section, the following words have the following meanings:

CAMP:	To reside or dwell temporarily in a place, with shelter, and conduct activities of daily living, such as eating or sleeping in such place. Without limiting the generality of the foregoing, the term includes the act of staying overnight in a parked motor vehicle, including, but not limited to, recreational vehicles, trailers, fifth wheel trailers, and pop-up trailers. The term, however, does not include napping during the day or picnicking, or staying overnight in a permanent structure that meets the requirements of the Town's Building Codes described in Chapter 1 of Title 8 of this Code.
DURING THE DAY:	From one hour after sunrise until sunset.
PRIVATE PROPERTY:	Any real property having its title, ownership, use, or possession held by a private corporation, firm, partnership, limited liability entity of any kind, association, non-governmental organization, or other group acting as a unit, as well as a natural person.
PUBLIC PROPERTY:	Any real property having its title, ownership, use, or possession held by the Town, the state of Colorado, Summit County government, any other governmental entity of this state, or the federal government. Such term includes, but is not limited to: (i) the right of way of any public street, highway, or alley; (ii) any Town park as defined in Section 11-2-1 of this Code; and (ii) any lot, tract, parcel, building, playground, recreational trail, open space, or recreation area owned by the Town, the state of Colorado, Summit County government, any other governmental entity of this state, or the federal government.
RESIDE OR DWELL:	Includes, without limitation, conducting such activities as eating, sleeping, or the storage of personal possessions.

SHELTER:

Includes, without limitation, any tent, tarpaulin, lean-to, sleeping bag, bedroll, blanket, or any form of cover or protection from the elements other than clothing.

B. It shall be unlawful for any person to camp on any private property or public property anywhere within the Town unless authorized by a valid camping permit issued by the Town Manager pursuant to subsection C of this section.

C. The Town Manager may issue a camping permit to authorize camping in connection with a special event. The Town Manager shall adopt administrative rules and regulations defining a special event and setting forth the non-discriminatory criteria to be applied in issuing permits under this section, as well as other administrative rules and regulations relating to the issuance, enforcement, and revocation of a camping permit issued pursuant to this section. Such regulations shall be adopted in accordance with the procedures established by title 1, chapter 18 of this code, and may be altered, amended or repealed by the Town Manager in the same manner.

D. It is unlawful and a misdemeanor offense for any person to violate:

1. any of the provisions of this section;
2. any of the administrative rules and regulations issued by the Town Manager pursuant to subsection C of this section; or
3. any of the terms and conditions of a camping permit issued by the Town Manager pursuant to this section.

Section 2. Item (D) of Section 11-2-7 of the Breckenridge Town Code is repealed.

Section 3. Section 1-3-2 of the Breckenridge Town Code is amended by the inclusion of the following additional definition:

SUNRISE AND SUNSET:

The time of sunrise and sunset in Breckenridge, Colorado as described at [www.timeanddate.com](http://www.timeanddate.com).

Section 4. 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 5. 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 6. 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 7. 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 11th day of August, 2015.

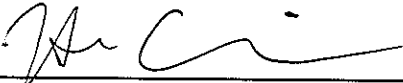
This ordinance was published in full on the Town of Breckenridge website on August 13, August 14, August 15, August 16 and August 17, 2015.

A public hearing on this ordinance was held on August 25, 2015.

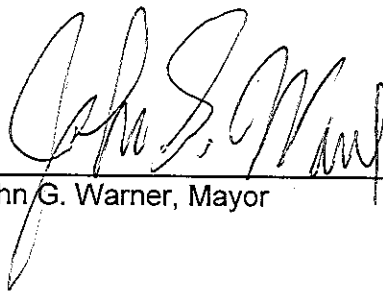
READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED IN FULL ON THE TOWN'S WEBSITE this 25th day of August, 2015. A copy of this Ordinance is available for inspection in the office of the Town Clerk.

ATTEST:

TOWN OF BRECKENRIDGE



Helen Cospolich, Town Clerk



John G. Warner, Mayor

APPROVED IN FORM



Town Attorney

8/25/15

Date

This Ordinance was published on the Town of Breckenridge website on August 27, August 28, August 29, August 30 and August 31, 2015. This ordinance shall become effective on September 30, 2015.