

TOWN OF GYPSUM, COLORADO

**ORDINANCE NO. 09
SERIES 2019**

**AN ORDINANCE PROVIDING FOR THE ADOPTION OF A NEW CHAPTER
10.02, OFF-HIGHWAY VEHICLES, AND AMENDING PORTIONS OF THE
GYPSUM MUNICIPAL CODE TO EXPAND THE DEFINITIONS OF
“VEHICLE” AND “MOTOR VEHICLE” TO INCLUDE
“OFF-HIGHWAY VEHICLES”**

WHEREAS, the Town of Gypsum (“Town”) is a home rule municipality duly organized and existing under Articles XX of the Colorado Constitution and the Town’s Home Rule Charter effective October 21, 1982; and

WHEREAS, Title 10 of the Gypsum Municipal Code relates to vehicles and traffic; and

WHEREAS, pursuant to Article 14.5 of Title 33, of the Colorado Revised Statutes, the Town, by ordinance, may regulate the operation of off-highway vehicles on streets and highways within its boundaries; and

WHEREAS, the Town desires to provide a route of travel for operators of off-highway vehicles to access certain recreation areas via Town streets and roads; and

WHEREAS, the Town Council desires to adopt a new Chapter 10.02, Off-Highway Vehicles, and to amend certain sections of the Gypsum Municipal Code to expand the definition of “vehicles” and “motor vehicles” to include off-highway vehicles.

NOW, THEREFORE, be it ordained by the Town Council of the Town of Gypsum, Colorado that:

Section 1. Adoption of Chapter 10.02 of Title 10 of the Gypsum Municipal Code. Chapter 10.02 of the Gypsum Municipal Code, as more particularly set forth in “Exhibit A”, as attached hereto and incorporated herein by this reference, is hereby adopted in its entirety and by this reference ordained.

Section 2. Amendment of the Gypsum Municipal Code. The following sections of the Gypsum Municipal Code are hereby amended to replace all references to the words “*vehicle*” and “*motor vehicle*” with the phrase “*motor vehicle and/or off-road vehicle*”:

- a. Chapter 8.05;
- b. Section 8.07.020;

- c. Section 13.04.360;
- d. Chapter 9.05;
- e. Section 18.02.585; and
- f. Section 9.08.020.

Section 3. Amendment of Subsection 9.03.010(6). The definition of “Motor Vehicle” in Subsection 9.03.010(6), is hereby amended to add the double-underlined words, as follows:

Motor vehicle means any vehicle such as, but not limited to, passenger cars, trucks, truck-trailers, semi-trailers, campers, motorcycles, mini-bikes, go-carts, snowmobiles, racing vehicles, and other devices propelled by mechanical power, and off-highway vehicles as defined in Section 10.02.010.A.

Section 4. Public Inspection. Copies of this ordinance and the Gypsum Municipal Code are available for public inspection at the office of the Gypsum Town Clerk.

Section 5. Public Hearing. A public hearing on this Ordinance shall be held on the 10th day of August, 2019, at 7:00 p.m. at the Town of Gypsum Town Hall, 50 Lundgren Boulevard, Gypsum, Colorado.

Section 6. Effective Date. This Ordinance shall become effective as a permanent Ordinance five (5) days after publication, following final adoption after a public hearing held on the 10th day of August, 2019, at 7:00 p.m., at the Gypsum Town Hall, 50 Lundgren Blvd., Gypsum, Colorado.

Section 7. Severability. If any portion of this Ordinance, or the International Codes amended hereby, is found to be void or ineffective, it shall be deemed severed from this Ordinance and the remaining provisions shall remain valid and in full force and effect.

INTRODUCED, READ AND ORDERED PUBLISHED BY THE TOWN COUNCIL OF THE TOWN OF GYPSUM, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF GYPSUM ON THE 23rd DAY OF July, 2019.

TOWN OF GYPSUM

By: _____
Stephen M. Carver, Mayor

Attest:

Danette Schlegel, Town Clerk

INTRODUCED ON SECOND READING, READ, CONSIDERED AT A PUBLIC HEARING AND FINALLY ADOPTED, PASSED AND APPROVED WITH AMENDMENTS, IF ANY, AND ORDERED POSTED AND PUBLISHED, BY THE TOWN COUNCIL OF THE TOWN OF GYPSUM, COLORADO, UPON A MOTION DULY MADE AND PASSED AT ITS MEETING HELD ON THE ____ DAY OF _____, 2019, BY A VOTE OF ____ IN FAVOR AND ____ AGAINST.

TOWN OF GYPSUM

By: _____
Stephen M. Carver, Mayor

Attest:

Danette Schlegel, Town Clerk

(S E A L)

EXHIBIT A
CHAPTER 10.02 OF THE GYPSUM MUNICIPAL CODE