

**A BILL FOR
ORDINANCE NO. 4, SERIES OF 2022**

**AN ORDINANCE OF THE CITY OF CAÑON CITY AMENDING TITLE 10 OF
THE CAÑON CITY MUNICIPAL CODE BY THE ADDITION OF A NEW
CHAPTER 10.10 CONCERNING UTILITY TERRAIN VEHICLES**

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF CAÑON CITY:

Section 1. Title 10 of the Cañon City Municipal Code is hereby amended by the addition of new Chapter 10.10, titled "UTV Regulations" to read as follows:

CHAPTER 10.10 – UTV REGULATIONS

Sec. 10.10.010. – Definitions.

A. Utility Terrain Vehicles ("UTV") shall have the same meaning as off-highway vehicles in C.R.S. § 33-14.5-101, as may be amended, except the term shall not include all-terrain vehicles as that is defined in C.R.S. § 42-6-102, as may be amended.

B. Public road shall mean any road, street, alley, avenue, thoroughfare, public right of way, unless otherwise posted as prohibiting UTVs, within the City.

C. Private, non-commercial shall mean an UTV owned by an individual or entity and intended to be used by the owner of the UTV or that owner's approved users, but shall not include UTVs purchased with the intent to rent such UTVs as part of a commercial enterprise or for profit.

Sec. 10.10.020. – Permit Required.

A. A permit issued by the City is required to operate a UTV in the City. Permits are only valid for one calendar year from the date of issuance. Each UTV must have a permit.

B. City-issued permit stickers must be displayed in both the front and rear of the UTV at all times.

C. Permit fees shall be paid to the City at the time of permit issuance in an amount set by resolution of the City Council.

Sec. 10.10.030. – Permitted Acts.

It shall be lawful to operate a private, non-commercial UTV on all public roads within the City, except public roads that are a part of the state highway system, provided that:

- A. The operator of the UTV has in his or her possession a valid motor vehicle driver's license or operator's license;
- B. When operated on any public road in the City, off-highway vehicles shall be considered to be "motor vehicles" as defined in the Colorado Motor Vehicle Financial Responsibility Law, Article 7 of Title 42, C.R.S., and shall be required to maintain, and produce upon request by any law enforcement officer, liability insurance equal to at least the minimum amount required by law;
- C. The UTV is currently registered with the State Division of Parks and Wildlife; and
- D. The operator and any passengers comply with all provisions of this Chapter.

Sec. 10.10.040. – Safety and Equipment

No UTV shall be operated on any public road within the City except in accordance with the following equipment:

- A. Helmet use, as defined in C.R.S. § 42-4-1502, as amended, is required for UTV operators and passengers, unless a passenger is properly contained in a child restraint system and the UTV is designed to support a child restraint system.
- B. Eye protection, in the form of goggles or eye glasses with lenses made of safety glass or plastic, is required for all UTV operators and passengers, except if a person is wearing a helmet containing eye protection made of safety glass or plastic, or the UTV has a windshield installed.
- C. UTVs shall not be operated with more occupants than the number of occupants it is designed to carry.
- D. Safety belts, as defined by C.R.S. § 42-4-236(1)(b), as amended, are required for UTV operators and passengers.
- E. At least one headlamp having minimum candlepower of sufficient intensity to reveal persons or objects at a distance of at least one hundred (100) feet ahead under normal atmospheric conditions. Such headlamp shall be aimed so that glaring rays are not projected into the eyes of operators in oncoming vehicles when operated on a straight level surface.
- F. At least one red tail lamp having a minimum candlepower of sufficient intensity to exhibit a red light plainly visible from a distance of five hundred (500) feet to the rear under normal atmospheric conditions, with a brake light that is actuated upon application of the foot brake.

- G. A functioning speedometer.
- H. A functioning muffler in compliance with the requirements of the State Division of Parks and Wildlife.
- I. Lamps in the front and rear for the purpose of indicating an intention to turn either to the right or left visible from not less than one hundred (100) feet ahead or from the rear under normal atmospheric conditions.
- J. All other safety equipment required by state law or by rule promulgated pursuant to state law.
- K. UTVs shall only be driven between the hours of seven (7:00) a.m. to ten (10:00) p.m. except if for the purpose of plowing snow.

Sec. 10.10.050. – Designation of Public Roads and Crossing of Highways.

A. UTV shall be allowed to operate on all public roads within the City, except the CDOT controlled public roads as follows:

- 1. U.S. Highway 50
- 2. Fremont Drive; and
- 3. State Highway 115
- 4. Rainbow Drive

B. The public roads listed above may be crossed by an operator of a UTV only if the crossing is made at a ninety degree angle to the highway and only after coming to a complete stop, following all traffic rules, and yielding to vehicles and pedestrians which constitute an immediate hazard to such crossing.

Sec. 10.10.060. – Violations.

A. It shall be unlawful for any person to operate an UTV on any public road in violation of the regulations of Title 42, C.R.S. pertaining to the movement of traffic on roadways within the City.

B. It shall be unlawful for any person to operate an UTV on any public road traveling at a speed greater than the posted speed.

C. It shall be unlawful for any person to operate, allow, authorize, suffer or permit an UTV owned or belonging to him or her, or that is under his or her control, to be operated by the owner or any other person in violation of this Chapter.

Sec. 10.10.070. – Penalties.

A. Any person convicted of a violation of this Chapter shall be subject to a fine not less than twenty-five dollars (\$25.00) and not to exceed five hundred dollars (\$500.00), in addition to surcharges and other costs assessed, for each separate violation.

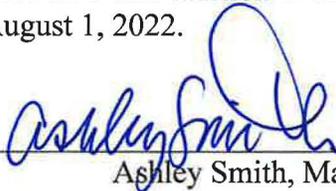
B. Any fines collected by the City for violations of this Chapter shall be deposited to the Street and Alley Fund.

Sec. 10.10.080. – Sunset.

A. This Chapter 10.10 shall automatically cease and terminate eighteen (18) months after the effective date of the original ordinance to which it was passed.

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

Section 3. Effective Date. Pursuant to Article XII, Section 3 and Section 5 of the Charter, this Ordinance published after adoption and be effective August 1, 2022.


Ashley Smith, Mayor

ATTESTATION & CERTIFICATION

02/07/2022 – Introduced, Read by title & Passed on first reading

02/12/2022 – Published

06/06/2022 – Passed and Adopted on second reading

06/17/2022 – Published

08/01/2022 – Effective


Cindy Foster Owens, CMC, City Clerk
City of Cañon City (Attest)