

**CITY OF STEAMBOAT SPRINGS, COLORADO**

**ORDINANCE NO. 2806**

**AN ORDINANCE AMENDING CHAPTER 16, TO ADD ARTICLE I GENERAL PROVISIONS, AND ARTICLE III REGARDING REGULATION OF VEHICLES, HORSES, AND BICYCLES TO THE STEAMBOAT SPRINGS REVISED MUNICIPAL CODE; PROVIDING AN EFFECTIVE DATE AND REPEALING ALL CONFLICTING ORDINANCES.**

**WHEREAS**, HB 17-1151 amended Title 42 of the Colorado Revised Statutes regarding Vehicles and Traffic to define electrical assisted bicycles (EABs) as distinct from motor vehicles and to allow Class 1 and 2 EABs on bike or pedestrian paths where bicycles are authorized to travel; and

**WHEREAS**, HB 17-1151 allows local authorities to prohibit the operation of Class 1 or Class 2 EAB's on bike or pedestrian paths under their jurisdiction; and

**WHEREAS**, the City's Parks and Recreation Commission has held numerous meetings regarding EABs and made recommendations to Council; and

**WHEREAS**, the City has permitted EABs on the Core Trail and Walton Creek Trail on a trial basis without significant user conflict or difficulty; and

**WHEREAS**, the City Council determines that specific EABs may be permitted on specific City trails; and

**WHEREAS**, the City Council determines that trial periods are warranted for specific City trails and EABs; and

**WHEREAS**, the City Council wishes to revise the Parks and Recreation Code to permit Class 1 EABs on specific trails and allow for trial periods with Class 1 and 2 EABs on specific City trails; and

**WHEREAS**, the City wishes to rearrange the Parks and Recreation Code to include three Articles: General Provisions, Regulation of Vehicles, Horses, and Bicycles, and River Recreation (the last by separate ordinance.)

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STEAMBOAT SPRINGS, COLORADO:**

Section 1. The current Sections 16-4, 16-5, and 16-6 are hereby deleted from the Revised Municipal Code, to be replaced in Section 2 of this ordinance below. Article I, General Provisions, is hereby created to include the current Sections 16-1, 16-2, 16-3, 16-7, 16-8, 16-9, 16-10, and 16-11, which shall be renumbered accordingly.

Section 2. Chapter 16, Article III, Regulation of Vehicles, Horses, and Bicycles, shall be created to read as follows:

Sec. 16-16. - Vehicle regulation.

(a) No person other than persons authorized by the city manager shall:

- (1) Fail or refuse to comply with any lawful order or direction of any park and recreation department employee in any park, parkway, recreation area, open space, or trail;
- (2) Fail to comply with any traffic-control device in a park, parkway, recreation area, open space or trail regulating the operation of motor vehicles;
- (3) Drive a motor vehicle within any park, parkway, recreation area, open space, or trail in excess of the posted speed limit. If no speed limit is posted, then no person shall drive a motor vehicle in excess of twenty (20) miles per hour;
- (4) Drive a motor vehicle within or upon any part of a park, parkway, recreation area, or open space except on designated roadways, parking areas, or areas that the city manager designates as temporary parking areas;
- (5) Drive or park a motor vehicle or motor or dirt bike, within or upon a trail or a mountain park; ~~however, certain classes of electrical assisted bicycles as defined by Colorado Statute, are permitted on specific city paths and trails under the rules adopted by the city manager;~~
- (6) Remove or relocate a barricade, barrier, or other device erected to control motor vehicle traffic in a park, parkway, recreation area, open space, or trail;
- (7) Park any vehicle in a park, parkway, recreation area, open space, or trail in a manner that blocks or impedes travel on or into a designated fire road or other emergency access;
- (8) Park a motor vehicle in a park, parkway, recreation area, or open space in the manner contrary to posted signs;
- (9) Park a motor vehicle in a park, parkway, recreation area, or open space between 12:00 midnight and 5:00 a.m., except parking is permitted during this time period in parks when scheduled events such as softball tournaments are being conducted during all or a portion of these hours;
- (10) The city manager may post "tow away" no parking zones within any park, parkway, recreation area or open space and impound any vehicle parked in violation of such signs. The city manager may impound any vehicle parked within or on a trail or mountain park.

Cross reference— Traffic, ch. 23.

Sec. 16-17. - Snowmobiles.

No person shall operate or use a snowmobile within or upon any park, parkway, recreation area, open space or trail.

Sec. 16-18. - Regulation of horses.

- (a) No owner, agent, employee, operator, or concessionaire or any commercial horse stable, riding school, or livery shall use any park, parkway, recreation area, open space or trail without first obtaining a permit from the city manager.
- (b) No person shall ride or lead horses on any landscaped park or recreation area except upon a public equestrian trail so designated by the city manager.

Cross reference— Animals, ch. 4.

Sec. 16-19. – Regulation of Bicycles and Electric Assisted Bicycles.

- (a) Electric Assisted Bicycles “EABs” are not considered motor vehicles, and are permitted on City streets and roads. EABs are defined by Colorado statute and in this Article as follows:
  - (1) Class 1: Bicycles equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches 20 mph.
  - (2) Class 2: Bicycle equipped with a throttle-actuated motor, that ceases to provide assistance when the bicycle reaches 20 mph.
  - (3) Class 3: Bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches 28 mph.
- (b) Class 1 EABs are approved for use on the Yampa River Core Trail and Walton Creek Trail.
- (c) A maximum 15 miles per hour speed limit shall be in effect on the Yampa River Core Trail, Walton Creek Trails, Blue Sage Trail, Butcherknife Trail, Tamarack Sneak, Bear Creek Trail and Fox Creek Trail for all bicycles, including EABs.
- (d) All other EABs on City trails are prohibited unless the City Council by resolution or Ordinance permits them for trial periods.

Section 3. A one (1) year trial period will begin with the effective date of this Ordinance to allow for the use of:

- Class 2 EABs on the Yampa River Core Trail and the Walton Creek Trail.

Section 4. A one (1) year trial period will begin with the effective date of this Ordinance to allow for the use of:

- Class 1 EABs on the following neighborhood/connector trails:
  - Blue Sage Trail
  - Butcherknife Trail
  - Tamarack Sneak

- Bear Creek Trail
- Fox Creek Trail (from Highway 40 up to the overpass)

Section 5. The City Council hereby finds, determines and declares that this ordinance is necessary for the immediate preservation of the public peace, health and safety.

Section 6. Pursuant to Section 7-11 of the Charter of the City of Steamboat Springs, Colorado, the second publication of this ordinance may be by reference, utilizing the ordinance title.

Section 7. The Ordinance shall take effect five days following publication after final passage as provided in Section 7.6(h) of the Steamboat Springs Home Rule Charter.

Section 8. All ordinances heretofore passed and adopted by the City Council of the City of Steamboat Springs, Colorado, are hereby repealed to the extent that said ordinances, or parts thereof, are in conflict herewith.

Section 9. A public hearing on this ordinance shall be held on \_\_\_\_\_, 2021 at 5:00 P.M. remotely via zoom at <https://us02web.zoom.us/j/985289877> and telephone: Dial 1-888-475-4499 (US toll-free), Enter Meeting ID: 985 289 877.

**INTRODUCED, READ AND ORDERED PUBLISHED,** as provided by law, by the City Council of the City of Steamboat Springs, at its regular meeting held on the 3<sup>rd</sup> day of March, 2021.

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**Jason Lacy, President  
Steamboat Springs City Council**

**ATTEST:**

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**Julie Franklin  
City Clerk**

**FINALLY READ, PASSED AND APPROVED** this 6th day of April, 2021.

Digitally signed by Jason  
Lacy  
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**Jason Lacy, President**

**Steamboat Springs City Council**

**ATTEST:**

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**Julie Franklin  
City Clerk**