Commissioner Tighe moved that the following Resolution be adopted:

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF JEFFERSON
STATE OF COLORADO
RESOLUTION NO. CC14-045

RE: BOARD OF COUNTY COMMISSIONERS – COUNTY ADMINISTRATOR'S OFFICE – POLICY MANUAL PART 6, CHAPTER 4, SECTION 1 OPEN SPACE LANDS RULES AND REGULATIONS

WHEREAS, by Resolution CC10-033 the Board of County Commissioners adopted policy 6.4.1 regarding Open Space Lands Rules and Regulation, and

WHEREAS, the Director of Open Space has proposed to revise the language in the Policy regarding the open carry of firearms and the possession, discharge and use of other devices that discharge a projectile to further distinguish between the ban on the open carry of firearms and the ban on the possession and use of other devices that discharge a projectile, and

WHEREAS, the Board of County Commissioners previously discussed the proposed amendments at its briefing on January 28, 2014.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Jefferson County that the existing policy 6.4.1 regarding Open Space Lands Rules and Regulation is hereby rescinded and replaced with the policy attached hereto, effective February 11, 2014.

Commissioner Rosier seconded the adoption of the foregoing Resolution. The roll having been called, the vote was as follows:

Commissioner Casey Tighe	Aye
Commissioner Donald Rosier	Aye
Commissioner Faye Griffin, Chairman	Aye

The Resolution was adopted by unanimous vote of the Board of County Commissioners of the County of Jefferson, State of Colorado.

Dated: February 11, 2014

Title: Administrative Policy Open Space Lands Rules and Regulations	**Policy No.** Part 6, Management and Use of County Property Chapter 4, Open Space Section 1
	Effective Date February 11, 2014
Policy Custodian Open Space	**Adoption/Revision Date** February 11, 2014

Adopting Resolution(s): CC14-045

References (Statutes/Resos/Policies): §29-7-101(2), 16-2-201 C.R.S.; CC79-865, CC82-127, CC87-358, CC87-1094, CC88-352, CC92-53, CC96-746, CC01-244, CC07-059, CC10-033

Procedure: Fees for Violation of the Open Space Lands Rules and Regulations

Purpose: To establish rules and regulations for Open Space Lands.

Policy: Open Space Lands Rules and Regulations

A. Definition
"Open Space lands," wherever used throughout these regulations, shall mean all public recreation lands, waters or facilities owned or operated by Jefferson County which have been purchased with open space funds or are managed or administered by the Jefferson County Open Space Program.

B. Authority

1. The Open Space Division shall be and hereby is authorized and empowered to designate those park lands or portions thereof which shall be closed to any entry, use or occupancy or to specific types of entry, use or occupancy when such closure is necessary for the protection of the land or vegetation or wildlife thereon, for the protection or safety of the park users, or for construction or maintenance purposes. Notice of such closures shall be given by the conspicuous posting of signs along the perimeter of such closed areas.

2. The Open Space Division shall be and hereby is authorized and empowered to designate those portions of park lands upon which specified and designated uses will be permitted, and to authorize specified persons to operate motorized vehicles upon roadways on park lands which have been designated as “service roads.”

3. That pursuant to Section 29-7-101(2), C.R.S., the Board of County Commissioners authorized use of the penalty assessment procedure provided in Section 16-2-201, C.R.S., as amended.

    a. Anyone violating any rule or regulation contained in this policy shall be guilty of a Class 2 petty offense pursuant to 29-7-101(2) C.R.S., and shall be subject to the minimum fine as set forth in the procedure that implements this policy.

    b. Fines: The Jefferson County Board of County Commissioners authorizes the Director of the Parks Department to establish reasonable fines for violation of the Open Space lands Rules and Regulations as set forth in this Policy. The Fines shall be made available in the procedure that implements this policy.

4. The Jefferson County Board of County Commissioners authorizes the Jefferson County Open Space Rangers to enforce the rules and regulations by issuance of citations or summonses and complaints. A violation of such rules and regulations shall be a class 2 petty offense and, upon conviction thereof, shall be punished by the minimum fine set forth in the procedure that implements this policy.

5. The penalty assessment procedure provided in Section 16-2-201, C.R.S., shall be followed by any law enforcement officer for any such violation.

6. All collected fines shall be paid into a County Open Space Account.

C. Violations

1. Fishing: Any person fishing on Open Space lands, or occupying Open Space lands, with the intent to fish must comply with the Colorado Division of Wildlife Rules and Regulations regarding fishing, which are hereby adopted in their entirety, as amended by the Colorado Division of Wildlife, except for the fine amount identified herein.

2. Hunting/Trapping: It shall be unlawful to hunt or trap any wild animal or to place or set traps on Open Space lands without a valid Jefferson County Open Space Hunting Access Permit.

3. Feeding Wildlife: It shall be unlawful to feed, or attempt to feed, any wildlife on Open Space lands.

4. Releasing Wildlife: It shall be unlawful to release any wildlife or domesticated animal on Open Space lands.

5. Natural Resources Protection Closure: It shall be unlawful to enter, use or occupy Open Space lands, or any portion thereof, during the time such Open Space lands, or any portions thereof, are designated as Sensitive Areas, seasonal closures, wildlife protection closures, refuges, or other protected areas.

6. Destruction of Natural/Cultural Resources: It shall be unlawful to deface, damage, or in any other way vandalize any vegetation, rock, or any object of archaeological, biological, geological, or historical interest on Open Space lands.

7. Collection of Natural Resources: It shall be unlawful to take, collect, gather, or possess any animal, vegetation, rock, wood or any other object on Open Space lands.

8. Destruction of Wildlife Habitat: It shall be unlawful for any person, or any pet under their custody, control, or ownership, to alter, damage, destroy, remove or in any other way vandalize wildlife habitat features on Open Space lands, including but not limited to, animal dens, burrows, dwellings, or nests.

9. It shall be unlawful for any person, or any pet under their custody, control, or ownership to harass, chase, harm, capture, kill, maim, or possess any wildlife including but not limited to mammals, birds, reptiles, amphibians, and fish on Open Space lands.

10. Livestock:

    a. It shall be unlawful for any person, or any pet under their custody, control or ownership, to harass, harm, or chase any livestock upon any Open Space lands.

b. It shall be unlawful to turn livestock loose and/or to negligently or intentionally allow livestock to graze on Open Space lands without written permission from the Jefferson County Board of County Commissioners.

11. Pets:

    a. All pets must be on a leash and under physical control on Open Space lands. “Leash” means a strap, cord, or chain and shall not exceed ten (10) feet in length.

    b. It shall be unlawful for any person not physically present on Open Space lands to have any pet under their custody, control, or ownership run freely upon said lands.

    c. It shall be unlawful for any person on Open Space lands to fail to pick-up and dispose of pet excrement deposited by any pet under their custody, control, or ownership in a waste receptacle.

12. Fires:

    a. It shall be unlawful to build, start, light or maintain any fire of any nature on Open Space lands except in designated picnic grills, developed campground fire pits or camp stoves within designated areas.

    b. It shall be unlawful to burn any material in a careless manner, or to leave any fire unattended, or to fail to completely extinguish any fire on Open Space lands, or to violate the conditions of an imposed fire ban.

    c. It shall be unlawful to collect firewood, or to burn wood or other materials in any outdoor fireplace or grill designated for charcoal fires only.

13. Damage To Property/Vandalism: It shall be unlawful to remove, destroy, deface, damage or in any other way vandalize any amenity, facility, building, structure, poster, sign or marker on Open Space lands.

14. Litter: It shall be unlawful to deposit or leave any refuse, trash or litter in or on Open Space lands except by depositing such refuse, trash or litter in designated refuse receptacles.

15. Firearms/Projectiles:

    a. It shall be unlawful to openly carry firearms, or to possess, discharge or use other devices that discharge a projectile such as B-B guns, pellet guns, air guns, cross bows, long bows or slingshots while on Open Space lands, except if permitted in designated areas.

    b. It shall be unlawful to possess, discharge, or use paintball guns and Airsoft-type guns while on Open Space lands, except if permitted in designated areas.

16. Fireworks and Explosives: It shall be unlawful to possess, ignite, or discharge fireworks or explosive devices on Open Space lands.

17. Hazardous Activity: It shall be unlawful for any person to engage in any activity on Open Space lands that constitutes a hazard to the safety of self or other persons

18. Use of Motorized Vehicles: It shall be unlawful to operate any motorized vehicle on Open Space lands except on designated public roadways.

19. Swimming/Boating: It shall be unlawful to swim, boat, or to float upon any flotation device, on any waters where so posted.

20. Closed Areas: It shall be unlawful to enter, use or occupy Open Space lands, or any portion thereof, during the time such Open Space lands, or any portions thereof, are closed to entry, use, or occupancy.

21. Curfew:

    a. It shall be unlawful to enter, use, or occupy Open Space lands from one (1) hour after sunset to one (1) hour before sunrise.

    b. It shall be unlawful to park any vehicle and/or trailer on Open Space lands during established curfew without a valid camping permit clearly posted on said vehicle.

22. Camping: It shall be unlawful to camp overnight, or to park any vehicle, trailer or camper for overnight camping purposes, on Open Space lands except by permit in areas designated for camping, or to camp or park a trailer or camper in such a designated area for a period of time in excess of the posted or permitted limits.

23. Parking

    a. It shall be unlawful to park bicycles, vehicles or trailers on Open Space lands where prohibited or in such a manner as to create a hazard or to obstruct vehicular, pedestrian, equestrian or bicycle traffic or damage natural resources.

    b. It shall be unlawful for a vehicle and/or trailer to be parked in a handicapped parking space on Open Space lands unless said vehicle and/or trailer displays a valid State-issued handicap license plate or tag.

    c. It shall be unlawful to park any vehicle and/or trailer on any Open Space lands in such a manner that obstructs access to emergency vehicles and/or equipment.

24. Speeding: It shall be unlawful for any person to operate any vehicle or bicycle and/or be transported by any other conveyance, including but not limited to, roller skates, roller blades, skateboard, scooter, or horse, in excess of the posted speed limit on Open Space lands.

25. Passing On Trails

    a. Yielding Order: Yielding means, when passing from any direction, all trail users must give the right-Of-way to equestrians; bicyclists and other wheeled users (except wheelchair users) must also give the right-of-way to pedestrians.

    b. Passing On Natural Surface Trails: At no less than fifteen (15) feet of approaching other trail users from any direction, slow to a speed comparable to the trail user being passed, communicate and gain their attention. Pass safely, single file and when oncoming traffic is clear. Stop when necessary to allow safe passage.

    c. Passing On Concrete Trails, Asphalt Trails Or Posted Service Roads That Serve As Natural Surface Trails: When passing other trail users from behind, slow to a safe speed, communicate and gain the attention of the user being passed. Pass safely, single file and on the left when oncoming traffic is clear. Stop when necessary to allow safe passage. Obey posted speed limits.

26. Unreasonable Noise:

a. It shall be unlawful to use sound amplification devises on Open Space lands or permit unreasonably loud noises that would disturb others.

b. It shall be unlawful to cause a public inconvenience or alarm by making unreasonably loud noises during camping quiet hours from 10:00 pm to 6:00 am.

27. Missiles and Crafts:

    a. It shall be unlawful to throw, discharge or launch any type of missiles or operate any type of remote controlled, self-powered rocket, missile or craft from or on Open Space lands and waters.

    b. It shall be unlawful to launch or land any piloted aircraft, including but not limited to, helicopters, airplanes, ultralights, gliders, hangliders, paragliders or hot air balloons on Open Space lands unless authorized.

28. Unlawful Improvements: It shall be unlawful to construct, place or maintain any kind of road, trail, structure, fence, enclosure, communication equipment or other improvements on Open Space lands.

29. Abandoned Property: It shall be unlawful to leave any personal property unattended on Open Space lands in excess of 24 house unless authorized.

30. Dumping: It shall be unlawful to deposit or leave any residentially or commercially generated refuse, trash, landscaping debris, yard waste, or any other materials on Open Space lands.

31. Special Activity Permit Agreements: Any person conducting a special activity or event on lands managed by Jefferson County Open Space must obtain a valid Special Activity Permit Agreement and comply with all terms and conditions of said Agreement.

32. Team Sports/Activities: It shall be unlawful to organize or participate in any team sport or activity on Open Space lands involving the placement or use of sporting equipment or apparatus, including but not limited to goals, nets, pits, hoops or boundary delineation.

33. Commercial Activity: It shall be unlawful to conduct any commercial activity or concession, or to provide any service, product or activity for which a fee is charged, on Open Space lands, except when a valid Jefferson County Open Space Special Activity Agreement is issued.

34. Posted Notices: It shall be unlawful to violate any posted sign or to violate any regulation as set forth in any brochure for any Open Space lands.

35. Interference: It shall be unlawful to interfere or attempt to interfere with any Open Space Park Ranger, or other Open Space employee, while in the performance of their official duties on Open Space lands, or to give false or misleading information with the intent to mislead said person in the performance of their duties.

36. Habitual Violations: Repeated violations, consisting of more than two (2) violations on Open Space lands in a 24-month period shall result in a fine.