AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Resolution 2018-15; A Resolution Repealing Resolut

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement:

Term Begins: **Term Ends:** **Grant Contract #:**

Summary:

Attached please find A Resolution Repealing Resolution No.15-15 and Approving ATV, OHV and UTV Use on a Certain Portion of County Road 3

Fiscal Impact:

Submitted by: Office of the County Attorney **Submitter's Email Address:** rmagruder@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ◉ Required ○ Not Required

Comments:

Reveiwed by: Discharge Date: 5/10/2018 Certificate of Insurance Required

Yes ○ No ◉

County Manager Review:

Comments:
This will correct a citation error in the earlier Resolution.

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 5/10/2018

◉ Consent Agenda ○ Regular Agenda ○ Worksession Time Allotted: 0

Agenda Date: 5/15/2018

Revised April 2015

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

RESOLUTION NO: 18-___

A RESOLUTION REPEALING RESOLUTION NO. 15-15 AND APPROVING ATV, OHV AND UTV USE ON A CERTAIN PORTION OF COUNTY ROAD #3

WHEREAS, on July 7, 2015, pursuant to Colo. Rev. Stat. §§33-14-110 and 33-14-118 (2015), the Board of County Commissioners of the County of Gunnison, Colorado ("Board") adopted Resolution No. 15-15, *A Resolution Approving Use of ATV's, OHV's and UTV's on a Segment of County Road #3*; and

WHEREAS, Resolution No. 15-15 was recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on July 7, 2015, bearing Reception No.633893; and

WHEREAS, the authority provided in Colo. Rev. Stat. §§ 33-14-110 and 33-14-118 (2015) is limited to regulation of snowmobiles; and

WHEREAS, pursuant to Col. Rev. Stat. §18-9-117(1)(f) (2018), the Board has the authority to adopt rules and regulations for use of all vehicles as to place, time and manner of use; and

WHEREAS, the Board understands that the public has historically used all-terrain vehicles ("ATVs"), off-highway vehicles ("OHVs") and utility terrain vehicles ("UTVs") on that certain portion of County Road #3 a/k/a Marble Road, beginning at the town limits of the Town of Marble at Beaver Lake to the bottom of that area known as "Daniel's Hill", a distance of approximately 0.7 of a mile; and

WHEREAS, continued use of ATVs, OHVs and UTVs on that certain portion of County Road #3 described above is in the best interest of the public; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Gunnison, Colorado, that:

1. Resolution No. 15-15, *A Resolution Approving Use of ATV's, OHV's and UTV's on a Segment of County Road #3* recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on July 7, 2015, bearing Reception No.633893 shall be and hereby is repealed and rescinded; and

2. Use of ATVs, OHVs and UTVs shall be and hereby is authorized on that certain portion of County Road #3 a/k/a Marble Road, beginning at the town limits of the Town of Marble at Beaver Lake to the bottom of that area known as "Daniel's Hill", a distance of approximately 0.7 of a mile.

INTRODUCED by Commissioner_____, seconded by Commissioner _____, and adopted this 15th day of May, 2018.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

By _____
Phil Chamberland, Chairperson

By _____
Jonathan Houck, Vice Chairperson

By _____
John Messner, Commissioner

ATTEST:

_____
Deputy County Clerk