AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Resolution: Establishing a Partial Seasonal Closur

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement:

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

Summary:

A RESOLUTION ESTABLISHING A PARTIAL SEASONAL CLOSURE OF COUNTY ROAD #317 (“GOTHIC ROAD”), AND IDENTIFYING CERTAIN EXCEPTIONS TO SUCH CLOSURE

Fiscal Impact:

Submitted by: Laura Stanley **Submitter's Email Address:** lstanley@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ◉ Required ○ Not Required

Comments:
ok db 7/11/18

Reveiwed by: Discharge Date: 7/11/2018 Certificate of Insurance Required

Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 7/13/2018

○ Consent Agenda ◉ Regular Agenda ○ Worksession Time Allotted: 15

Agenda Date: 7/17/2018

Revised April 2015

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

RESOLUTION NO. 18-_____

A RESOLUTION ESTABLISHING A PARTIAL SEASONAL CLOSURE OF COUNTY ROAD #317 ("GOTHIC ROAD"), AND IDENTIFYING CERTAIN EXCEPTIONS TO SUCH CLOSURE

WHEREAS, Gunnison County Road #317 is a county road; and

WHEREAS, pursuant to C.R.S. 42-4-106(1), the Board of County Commissioners may by resolution prohibit the operation of vehicles on a road for a total period of not to exceed ninety days in any one calendar year whenever such road by reason of deterioration, rain, snow or other climatic conditions will be seriously damaged or destroyed unless the use of vehicles thereon is prohibited; and

WHEREAS, pursuant to C.R.S. 33-14-118, the Board may regulate the operation of snowmobiles on streets and highways within county boundaries by resolution and by giving appropriate notice thereof; and

WHEREAS, pursuant to C.R.S. 18-9-117, the Board has authority, in addition to any authority granted by any other law, to adopt such orders, rules or regulations as are reasonably necessary for the administration, protection and maintenance of public property including but not limited to restriction or limitation of the use of the public property as to time, manner or permitted activities, and prohibition of activities or conduct on public property which may be reasonably expected to substantially interfere with the use and enjoyment of such places by others, and use of all vehicles as to place, time and manner of use; and

WHEREAS, the Board has determined that general vehicle use on that portion of County Road #317 beyond the northern municipal boundary of Mt. Crested Butte when winter conditions (e.g., snow, mud) exist, will cause serious damage to that portion of the road; and

WHEREAS, the Board has determined that certain seasonal, motorized vehicle use on County Road #317 will be to the detriment of public, health and safety for considerations including but not limited to detrimental impacts on non-motorized and recreation traffic; and

WHEREAS, the Board has determined that the orders, rules and regulations set forth below are necessary to ensure the public's use and enjoyment of County Road #317; and

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

1. Board of County Commissioners of the County of Gunnison, Colorado Resolution No. 01-25 is hereby repealed and rescinded.

2. a. Gunnison County shall install and maintain a closure gate on County Road #317 at the northern municipal town boundary of Mt. Crested Butte. Each year, the Gunnison County Public Works Director shall close and lock the County gate to preclude any snowmobile or other motorized vehicle use beyond the gate, except for emergency fire, ambulance, search and rescue or law enforcement vehicles, and except as identified below, when the Director determines that winter conditions are such that vehicle travel on the portion of the road on the north side of the gate will significantly damage or destroy the road or will substantially interfere with the use and enjoyment of the road by others.

b. A second gate, located north of the townsite of Gothic, is on U.S. Forest Service land, and managed by the Forest Service. Gunnison County will seek coordination with the Forest Service for closure of the second gate.

3. During the closure of the County gate as identified above, there shall be no use whatsoever of a snowmobile or other motorized vehicle on any portion of County Road #317 except that:

a. In an emergency, fire, ambulance, public utility, search and rescue and law enforcement personnel may use snowmobiles or any other motorized vehicles, north of the closure gate without a permit and without prior notification to or permission from Gunnison County; and

b. Landowners with a legally permitted structure accessed by County Road #317 may use a snowmobile, or other motorized vehicles, to access the structure only in an emergency and only with prior written permission from the Gunnison County Director of Public Works, which written permission shall identify the days and hours of the limited access; and

c. The Gunnison County Director of Public Works is authorized to allow other snowmobile or other motorized vehicle access on a case by case basis, including but not limited to care of livestock; the Director of Public Works may—but is not required—to choose to obtain Board approval on a case by case basis.

d. Rocky Mountain Biological Laboratory may make no more than one roundtrip access per week, on a regular schedule. The access schedule shall be pre-arranged with the Director of Public Works. Access to Laboratory property shall be by snowmobile, but no other motorized vehicle, only between the hours of 3 p.m. and 10 p.m., not on weekends or holidays.

The driver of such snowmobile shall wear clothing/emblem identifying Rocky Mountain Biological Laboratory. The Laboratory shall provide a monthly written report to inform the Director of Public Works identifying the previous month's trips.

d. Grooming for non-motorized recreational purposes may be performed pursuant to a permit issued by the Director of Public Works according to parameters identified by the Board on an annual basis.

4. "Snowmobile" for the purposes of this resolution means a self-propelled vehicle intended for travel solely on snow, with a maximum curb weight of 1,000 pounds (450 kilograms), driven by a track or tracks in contact with the snow, and which may be steered by a ski or skis in contact with the snow. 36 CFR sec. 7.13.

INTRODUCED by Commissioner _____, seconded by Commissioner _____, and adopted this _____ day of _____, 2018.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

By: _____
Phil Chamberland, Chairperson

By: _____
Jonathan Houck, Commissioner

By: _____
John Messner, Commissioner

ATTEST:

_____
Deputy County Clerk