AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Resolution; Fees for Snowmobile Removal

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement:

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

Summary:

Each year snow machines are left in the easement or the trailhead on Kebler Pass creating an eyesore on the West Elk Byway. This Resolution would allow expenses for towing and storage to be recovered.

Fiscal Impact: Funding could help recover costs

Submitted by: Marlene D. Crosby **Submitter's Email Address:** mcrosby@gunnisoncounty.org

Finance Review: (●) Required ( ) Not Required

Comments:
No concerns. ln

Reviewed by: GUNCOUNTY1\lNienhueser Discharge Date: 8/29/2019

County Attorney Review: (●) Required ( ) Not Required

Comments:
ok db 8/28/19

Reveiwed by: Discharge Date: 8/28/2019 Certificate of Insurance Required Yes ( ) No (●)

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 8/29/2019

( ) Consent Agenda (●) Regular Agenda ( ) Worksession Time Allotted: DCM Report

Agenda Date: 9/3/2019

Revised April 2015

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

RESOLUTION NO: 2019 - _____

A RESOLUTION APPROVING REMOVAL AND SALE OF SNOWMOBILES/GROOMING MACHINES ABANDONED ON COUNTY ROAD #12, KEBLER PASS

WHEREAS, the Board of County Commissioners of Gunnison County, Colorado has the authority pursuant to C.R.S. 18-9-117 to limit or prohibit certain types of conduct on public property, including restriction on, or limitation of, the use of all vehicles as to place, time, manner, or permitted activities; and

WHEREAS, C.R.S. 33-14-101(11) defines a “snowmobile” to be a “vehicle”; and

WHEREAS, “snowmobile” for the purposes of this Resolution means any self-propelled vehicle, including snowcats, intended for travel primarily on snow, 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; and

WHEREAS, the Board of County Commissioners of Gunnison County, Colorado has the authority pursuant to C.R.S. 33-14-118, by resolution, to regulate the use of snowmobiles on public lands, waters and property under Gunnison County’s jurisdiction and on public highways within County boundaries; and

WHEREAS, pursuant to C.R.S. 33-14-119, every peace officer of the State of Colorado and the political subdivisions of Colorado shall have the authority to enforce the provisions of a resolution adopted pursuant to C.R.S. 33-14-118; and

WHEREAS, the Board of County Commissioners of Gunnison County, Colorado has the authority pursuant to C.R.S. 42-13-101, 102, 103, 104, 107, 108 and 109 regarding the disposition of property reasonably believed to be abandoned; and

WHEREAS, it is in the best interests of the public and Gunnison County for such authorizations to be operationalized regarding snowmobiles.

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

1. It is a violation of this Resolution for any snowmobile to remain on any public road right-of-way in violation of signage posted by Gunnison County or for more than twenty-four (24) hours after notification to move the snowmobile is placed on the snowmobile by Gunnison County Public Works. The owner will be responsible for proportionate share of the tow bill and Thirty Dollars and No/100

($30.00) per day storage. Any unit not claimed by September 1st of the same year will be offered for sale at a Sheriff's sale.

2. The Gunnison County Sheriff's Department, or its designee, is authorized to remove any snowmobile that is in violation of this Resolution.

This resolution shall remain in force until and unless further action by the Board of County Commissioners is taken.

INTRODUCED by Commissioner _____, seconded by Commissioner _____, and adopted this ____ day of _____, 2019.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

By: _____
Jonathan Houck, Chairperson

By: _____
John Messner, Vice Chairperson

By: _____
Roland Mason, Commissioner

ATTEST:

_____
Deputy County Clerk