



**BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF GUNNISON, COLORADO**

**RESOLUTION NO. 21- 6**

**A RESOLUTION DELEGATING THE AUTHORITY TO TEMPORARILY CLOSE  
COUNTY ROADS TO THE GUNNISON COUNTY PUBLIC WORKS DIRECTOR**

WHEREAS, the Board of County Commissioners of the County of Gunnison, Colorado, (hereinafter the "Board") has the legal authority to regulate and control the use of certain highways and roads in Gunnison County, Colorado;

WHEREAS, pursuant to C.R.S. § 42-4-106 the Board has the authority to prohibit the operation of vehicles and to impose restrictions as to the weight of vehicles operated upon highways under the Board's jurisdiction for a period not to exceed ninety (90) days in any one calendar year;

WHEREAS, pursuant to C.R.S. § 42-4-111 the Board has the authority to adopt regulations as may be necessary to cover special conditions and close a county road or portions of it temporarily;

WHEREAS, C.R.S. § 30-11-107(1)(h) provides the Board of County Commissioners with the authority to "lay out, alter, or discontinue any road running into or through such county and also to perform such other duties respecting roads as may be required by law[.]"

WHEREAS, the County has broad powers to regulate public roads over which it has jurisdiction. *Bd. of County Commr's of County of Logan v. Vandemoer*, 205 P.3d 423,426 (Colo. App. 2008);

WHEREAS, the Board of County Commissioners is "vested with reasonable discretion as to the modes and methods by which it may exercise the power . . . [of] laying out, altering or discontinuing roads." *Switzer v. Bd. of County Comm'rs*, 203 P. 680, 681 (Colo. 1922);

WHEREAS, unforeseen events or acts of God can require the immediate need to close county roads to protect the health and safety of the traveling public, including avalanche danger, flooding, geologic failure, motor vehicle accident, bridge failure, excessive wind damage, or adverse weather conditions;

WHEREAS, the County Public Works Director may need to act immediately to close a road and exigent or emergency circumstances would prevent action by this Board to do so;

WHEREAS, due to the foregoing, the Board desires to delegate its authority to close roads on a temporary basis to the Gunnison County Director of Public Works;



NOW, THEREFORE, BE IT RESOLVED that, pursuant to its authority, the Board hereby delegates to the Gunnison County Director of Public Works the authority to temporarily close Gunnison County roads for a period of no more than five (5) days without the express authorization of the Board by duly enacted resolution to protect the health, safety and welfare of the traveling public.

RESOLVED that the Board directs the Gunnison County Director of Public Works to post such signage and traffic control devices that in her discretion she deems necessary to warn, control or guide the public on or around such road closures pursuant to all Federal, state and local law and rule.

RESOLVED that no less than annually the Gunnison County Director of Public Works shall report to the Board the location, reasons and length of any closures pursuant to this Resolution.

INTRODUCED by Commissioner Smith, seconded by  
Commissioner Mason, and adopted this 6<sup>th</sup> day of ~~March~~ April, 2021.

BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF GUNNISON, COLORADO

By:   
Jonathan Houck, Chairperson

By:   
Roland Mason, Vice Chairperson

By:   
Elizabeth K. Smith, Commissioner

ATTEST:

  
Deputy County Clerk

