



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

RESOLUTION NO: 2024 - 32

**A RESOLUTION REPEALING RESOLUTION No: 2019-21 AND APPROVING
REMOVAL AND SALE OF SNOWMOBILES/GROOMING MACHINES ABANDONED
ON COUNTY ROAD #12, KEBLER PASS, ITS ADJACENT WINTER TRAILHEAD
PARKING AREA AND OTHER COUNTY PROPERTY**

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” as a “self-propelled vehicle primarily designed or altered for travel on snow or ice when supported in part by skis, belts, or cleats”; and

WHEREAS, for the purposes of this Resolution, “snowmobile” means any self-propelled vehicle designed or altered for travel over snow or ice, including snowcats, 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 to regulate the use of snowmobiles on public lands, waters and property under Gunnison County’s jurisdiction and on public roads and 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, Gunnison County previously administered a winter trailhead parking area(s) adjacent to and part of County Road 12 (a/k/a Kebler Pass Road) pursuant to an easement granted to the County by the United States on September 5, 1979; and

WHEREAS, On September 3rd, 2019, Gunnison County adopted Resolution 2019-21 approving removal and sale of snowmobiles and grooming machines abandoned on County Road #12, Kebler Pass; and

WHEREAS, on or about August 23, 2024, Mt. Emmons Mining Company, through a land exchange with the United States Forest Service, received a portion of County Road 12 and the adjacent winter trailhead parking area(s), and Mt. Emmons Mining Company contemporaneously deeded this portion of the aforementioned road



and parking area(s) to Gunnison County, thereby rendering them County property under the County's jurisdiction and control; 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 or County-owned or administered parking area or other property 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 the Gunnison County Public Works Department . The owner will be responsible for proportionate share of the charges associated with removal and the actual costs of storage, which at a minimum shall be Thirty Dollars and No/100 (\$30.00) per day. Any unit not claimed by September 1st of the same year will be offered for sale at a Sheriff's sale pursuant to this Resolution and Colorado law.
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. This Resolution repeals and replaces any prior resolution of the Board currently in effect regarding this subject matter, including but not limited to Resolution No. 2019-21.

INTRODUCED by Commissioner Puckett Daniels, seconded by Commissioner Smith, and adopted this 1st day of October, 2024.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

By: [Signature]
Jonathan Houch, Chairperson

By: [Signature]
Elizabeth Smith, Vice Chairperson

By: [Signature]
Laura Pucket Daniels, Commissioner

ATTEST:

[Signature]
Deputy County Clerk

