

TOWN OF JOHNSTOWN, COLORADO

ORDINANCE NO. 2022-233

**AN ORDINANCE AMENDING ARTICLE V OF CHAPTER 11 OF
THE JOHNSTOWN MUNICIPAL CODE CONCERNING USE OF
THE PIONEER RIDGE PARK DISC GOLF COURSE**

WHEREAS, the Town of Johnstown, Colorado is a municipal corporation duly organized and existing under its Home Rule Charter adopted pursuant to Article XX of the Constitution of the State of Colorado; and

WHEREAS, the Town Council is vested with authority to administer the affairs of the Town; and

WHEREAS, on April 18, 2022, the Town Council approved the Intergovernmental Agreement between the Town of Johnstown and Weld County School District RE-5J for Joint Use of Pioneer Ridge Disc Golf Course (“IGA”); and

WHEREAS, the IGA provides that the Weld County School District RE-5J shall be entitled to exclusive use of the Pioneer Ridge Park Disc Golf Course (“Disc Course”) between the hours of 8:00 a.m. and 4:00 p.m. when school is in session; and

WHEREAS, to provide the Town with the ability to enforce the provisions of the IGA, Town staff recommends that the Town Council adopt a regulation related to use of the Disc Course; and

WHEREAS, Article V of Chapter 11 of the Johnstown Municipal Code (“Code”) concerns public parks; and

WHEREAS, the Town staff recommends that Article V of Chapter 11 be amended to include a regulation concerning use of the Disc Course; and

WHEREAS, based on the recommendation of Town staff, Town Council desires to add Section 11-88 to Article V of Chapter 11 of the Code; and

WHEREAS, the Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town, that it is promulgated for the preservation of the public health, welfare, peace, safety and property and that this Ordinance is in the best interests of the citizens of the Town.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE
TOWN OF JOHNSTOWN, COLORADO, AS FOLLOWS:**

Section 1. Article V of Chapter 11 of the Johnstown Municipal Code shall be amended to: (i) include Section 11-88 - Pioneer Ridge Park Disc Golf Course and (ii) renumber Section 11-88 to Section 11-89, which sections shall read as follows:

Sec. 11-88 - Pioneer Ridge Park Disc Golf Course.

Notwithstanding the daily park hours set forth in this Article, it shall be unlawful for any person to use the Pioneer Ridge Park Disc Golf Course between the hours of 8:00 a.m. and 4:00 p.m. on days when the Weld County School District RE-5J is in session, except for persons authorized to participate in such use by the Weld County School District RE-5J.

Sec. 11-89. – Violation.

Any person violating any provision of this Article shall be deemed guilty of such violation and, upon conviction thereof, shall be penalized as provided in Article IV of Chapter 1 of the Code.

Section 2. Severability. If any part or provision of this Ordinance, or its application to any person or circumstance, is adjudged to be invalid or unenforceable, the invalidity or unenforceability of such part, provision, or application shall not affect any of the remaining parts, provisions or applications of this Ordinance that can be given effect without the invalid provision, part or application, and to this end the provisions and parts of this Ordinance are declared to be severable.

Section 3. Publication; Effective Date. This Ordinance, after its passage on final reading, shall be numbered, recorded, published and posted as required by the Home Rule Charter of the Town of Johnstown, Colorado (“Charter”) and the adoption, posting and publication shall be authenticated by the signature of the Mayor and the Town Clerk and by the Certificate of Publication. This Ordinance shall become effective upon final passage as provided by the Charter. Copies of the entire Ordinance are available at the office of the Town Clerk.

INTRODUCED AND APPROVED on first reading by the Town Council of the Town of Johnstown, Colorado, this ____ day of _____, 2022.

TOWN OF JOHNSTOWN, COLORADO

ATTEST:

By: _____
Diana Seele, Town Clerk

By: _____
Gary Lebsack, Mayor

PASSED AS AMENDED UPON FINAL APPROVAL AND ADOPTED on second reading by the Town Council of the Town of Johnstown, Colorado, this ____ day of _____, 2022.

TOWN OF JOHNSTOWN, COLORADO

ATTEST:

By: _____
Diana Seele, Town Clerk

By: _____
Gary Lebsack, Mayor