

**PALMER LAKE, COLORADO**

**ORDINANCE NO. X-2023**

**AN ORDINANCE AMENDING TITLE 10 OF THE PALMER LAKE MUNICIPAL CODE BY CREATING A NEW CHAPTER, CHAPTER 10.30, PROHIBITING THE USE OF MOTOR VEHICLES ON UNDEVELOPED RIGHT OF WAYS WITHIN THE TOWN OF PALMER LAKE**

**WHEREAS**, the Board of Trustees of the Town of Palmer Lake, Colorado, pursuant to Colorado statute and the Town of Palmer Lake Municipal Code, is vested with the authority of administering the affairs of the Town of Palmer Lake, Colorado; and

**WHEREAS**, the Board previously adopted regulations relating to vehicles and traffic, with such regulations appearing in Title 10 of the Palmer Lake Town Code; and

**WHEREAS**, the Board of Trustees has determined that it is necessary to prohibit the use of motor vehicles on undeveloped right of ways within the Town in order to preserve the health safety, and general welfare of the citizens of the Town of Palmer Lake.

**NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE, COLORADO, THAT:**

**Section 1.**

Title 10 of the Palmer Lake Municipal Code is here by amended by adding a new chapter, Chapter 10.30, with such Chapter to read in its entirety as follows:

**CHAPTER 10.30. – NO MOTOR VEHICLES ON UNDEVELOPED RIGHT OF WAYS**

**10.30.010. Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section:

*Motor Vehicle* shall have the same meaning as defined in C.R.S. 42-1-102 as may be amended from time to time.

**10.30.020. Use of Motor Vehicles on Undeveloped Right of Ways Prohibited.**

Motor Vehicles are prohibited from traveling, parking, driving, or otherwise using in any manner, an undeveloped right of way, undeveloped street, path, trail, or easement owned by the Town.

**10.30.030. Penalty.**

Any persons and/or company who violates any provision of this Chapter shall, upon conviction, be punished in accordance with the general penalty in Chapter 1.12.

**Section 2.**

Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Board hereby declares that it would have passed this ordinance and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

**Section 3.**

Repeal. Existing ordinances or parts of ordinances covering the same matters embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this ordinance.

**INTRODUCED, READ AND PASSED AT A FIRST READING AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS 10<sup>TH</sup> DAY OF AUGUST, 2023.**

ATTEST:

TOWN OF PALMER LAKE, COLORADO

\_\_\_\_\_  
Dawn A. Collins  
Town Administrator/Clerk

BY: \_\_\_\_\_  
Glant Havenar  
Mayor