



RESOLUTION 15-128

RESOLUTION ADOPTING RULES AND REGULATIONS FOR THE PROTECTION, USE AND MANAGEMENT OF THE GAME CHECK STATION

WHEREAS, Clear Creek County in collaboration with the Colorado Department of Transportation has recently improved certain real property, hereinafter described and known as the Game Check Station (more specifically identified below), for public open space and public recreation purposes; and

WHEREAS, the Game Check Station is a "recreational facility" within the meaning of §29-7-107, CRS; and

WHEREAS, the Clear Creek County Board of County Commissioners acknowledges the need for rules and regulations to ensure the proper protection, use and management of the Game Check Station; and

WHEREAS, these rules and regulations have been recommended by the Clear Creek County Open Space Commission to the Clear Creek County Board of County Commissioners, which acknowledges that community input is both necessary and appreciated in formulating rules and regulations with regard to the protection, use and management of the Game Check Station; and

WHEREAS, pursuant to §29-7-101, CRS, Clear Creek County has the power, authority and jurisdiction to enact such rules and regulations respecting the protection, use, and management of the Game Check Station as may be deemed by the Board of County Commissioners to be in the best interests of the county and its inhabitants; and

WHEREAS, recreational use of lands is an important aspect to the quality of life of the residents of and visitors to Clear Creek County; and

WHEREAS, the impacts on such lands need to be minimized in order to preserve and maintain the quality of the experience in Clear Creek County.

NOW, THEREFORE, BE IT RESOLVED BY The Board of County Commissioners of the County of Clear Creek, Colorado that the following Game Check Station Rules and Regulations are adopted:



Section 1: Definitions.

Game Check Station means that land owned by Clear Creek County and described in that certain Deed between the State of Colorado, acting by and through the Department of Natural Resources for the use and benefit of the Division of Parks and Wildlife and the Parks and Wildlife Board, dated June 15, 2012, recorded in the real estate records of Clear Creek County, Colorado, on July 2, 2012, at reception #264729, Book 854 and Page 915, and also described in that certain Permanent Easement between Twin Tunnels Development, LLC, and Clear Creek County, dated November 25, 2013, recorded in the real estate records of Clear Creek County, Colorado, on November 26, 2013, at reception #270810, Book 879 and Page 309.

Campfire means a fire, not within any building, mobile home, or living accommodation mounted on a motor vehicle, which is used for cooking, personal warmth, lighting, ceremonial or esthetic purposes. Fire includes campfires.

Camping means the temporary use of the Game Check Station for the purpose of overnight occupancy without a permanently fixed structure.

County means Clear Creek County government.

Damaging means to injure, mutilate, deface, destroy, remove, cut, chop, girdle, dig, excavate, kill or in any way harm or disturb.

Firearm means any pistol, revolver, rifle, or other weapon of any description from which any shot, projectile, or bullet may be discharged.

Motor vehicle includes any self-propelled device by which persons or property may be moved, carried, or transported from one place to another by land, water, or air, but excludes wheelchairs.

Person means natural person, corporation, company, partnership, trust, firm, or association of persons.

Stove fire means a campfire built inside an enclosed stove or grill, a portable brazier, or a pressurized liquid or gas stove, including a space heating device.

Section 2: Game Check Station Rules and Regulations

2.1.1 *Permitted Activities*

The following recreational activities are permitted on Game Check Station:

- a. Fishing and creek access.
- b. Walking, biking.



- c. Picnicking.
- d. Dogs only when on leash.
- e. Non-commercial kayaking and rafting.

This list of activities is not exclusive.

2.1.2 Hours of Use

All permitted or otherwise legal activities are permitted only between the period one hour before sunrise and one hour after sunset, daily. Any use outside that period of time is prohibited and a trespass.

2.2 Prohibited Activities

The following activities by any person are prohibited on the Game Check Station:

2.2.1 Creek Access for commercial purposes.

2.2.2 Fire:

- a. The construction, ignition, or use of any fires, including, without limitation, campfires or stove fires, is prohibited.
- b. Carelessly or negligently throwing or placing any ignited substance or other substance that may cause a fire is prohibited.
- c. Causing timber, trees, slash, grass or brush to burn is prohibited
- d. All other fires, including smoking, may be eliminated, curtailed, or otherwise further regulated by order of the Clear Creek County Sheriff, Fire Chief, or other responsible County official in the event it is determined, in conformance with any fire ban ordinance promulgated by Clear Creek County, that a fire hazard restriction or closure is necessary and/or warranted.

2.2.3 Natural and Cultural Resources:

- a. Damaging any natural feature or other property of the Game Check Station is prohibited.
- b. Removing any natural feature or other property of the Game Check Station is prohibited.
- c. Cutting or otherwise damaging or removing any plant materials is prohibited.
- d. Using any pesticide is prohibited except for personal use or for administrative or management purposes by members of any Clear Creek County agency and/or County Designees.
- e. Digging in, excavating, disturbing, injuring, destroying, removing or in any way damaging any property, is prohibited.



2.2.4 Uses:

- a. Constructing, placing, or maintaining any kind of trail, structure or other improvement on Game Check Station is prohibited.
- b. Overnight use is prohibited.
- c. Overnight parking on Game Check Station is prohibited.
- d. Camping on Game Check Station is prohibited.
- e. Selling or offering for sale, bartering or trading any merchandise or conducting any business activity or service which uses Game Check Station land or resources is prohibited.
- f. Discharge of a firearm is prohibited.
- g. Abandoning any personal property on Game Check Station is prohibited.
- h. Disseminating, posting, placing or erecting any paper, notice, advertising material, sign, handbill, petition or similar written and/or graphic matter on Game Check Station is prohibited.
- i. Operating or using, without a permit or license, any devices on Game Check Station which produce noise in such a manner and at such a time so as to unreasonably disturb any person is prohibited.
- j. The possession and/or use of fireworks on Game Check Station is prohibited.
- k. The use of Game Check Station to access I-70 is prohibited.
- l. The use of Game Check Station for hunting by any means is prohibited.

2.2.5 Trails:

Damaging and leaving in damaged condition, or blocking, restricting or otherwise interfering with the use of a road, trail, parking area or creek access or gate within the Game Check Station is prohibited, except for administrative or management purposes by members of any Clear Creek County agency and/or County designees.

2.2.6 Motor Vehicles:

Possessing or using any motorized vehicle on any road, trail or property located within the Game Check Station is prohibited, unless within an area specifically designated and posted for vehicular use or under Special Activity Permit or for management purposes by County agencies and/or County designees.

2.2.7 Special Events:

No gatherings of more than twenty (20) person (in attendance or expected) shall be permitted within the Game Check Station.



Section 3.0: Enforcement

3.1 Penalty Assessment:

More restrictive statutes and County ordinances may apply to activities in and to the use of the Game Check Station, notwithstanding anything to the contrary contained in these rules and regulations. Unless a penalty is otherwise established in the Colorado Criminal Code, Clear Creek County Ordinances, or other laws, for the violation of conduct which is also prohibited by these rules and regulations, any person who violates any provision of these rules and regulations commits a class 2 petty offense and, upon conviction thereof, shall be punished by a fine of not more than three hundred dollars for each separate violation.

3.2 Procedure:

The penalty assessment procedure provided in C.R.S. Section 16-2-201 may be followed by any arresting law enforcement officer for any violation of these rules and regulations.

Section 4.0: Amendment:

The Board of County Commissioners reserves the right to amend or adopt additional rules and regulations and/or use closures as it deems necessary, from time to time.

BE IT FURTHER RESOLVED that the foregoing Rules and Regulations shall be in force and effect beginning October, 2015.

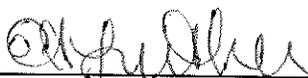
ADOPTED this 27th day of Oct, 2015, at a regularly scheduled meeting of the Clear Creek Board of County Commissioners.

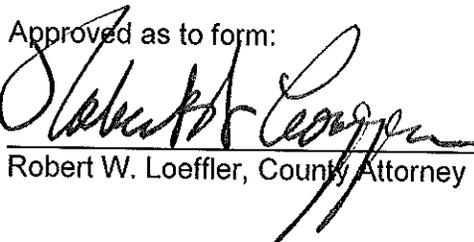

Thomas S. Hayden, Chairman


Timothy J. Mauck, Commissioner


Phil Buckland, Commissioner

ATTEST:


Deputy Clerk and Recorder

Approved as to form:

Robert W. Loeffler, County Attorney