

Policy Title: Open Space Lands Rules and Regulations

Policy Number: Part 6, Management and Use of County Property; Chapter 4, Open Space; Section 1

Type of Policy: Administrative

Adopting Resolution: CC23-079

References: §29-7-101(2), 16-2-201 Colorado Revised Statutes; Fees for Violation of the Open Space Lands Rules and Regulations Procedure; Resolutions CC79-865, CC82-127, CC87-358, CC87-1094, CC88-352, CC92-53, CC96-746, CC01-244, CC07-059, CC10-033, CC14-045, CC17-265, CC18-401, CC21-176

Effective Date: March 14, 2023

Adoption Date: March 14, 2023

Administrative Revision Date: Not applicable

Policy Custodian: Open Space Division

Purpose: To establish rules and regulations for Open Space Lands.

A. Definition

"Open Space Lands," wherever used throughout this Administrative Policy (Policy), shall mean all public parks, other lands, easements, waters or facilities owned by Jefferson County which have been purchased with Jefferson County Open Space funds, or are managed or administered by the Jefferson County Open Space Division (Open Space Division).

B. Authority

1. The Open Space Division shall be and hereby is authorized and empowered to designate those Open Space Lands or portions thereof which shall be closed to any entry, use or occupancy or to specific types of entry, use or occupancy when such closure is necessary for the protection of the land or vegetation or wildlife thereon, for the protection or safety of park visitors, or for construction or maintenance purposes. Notice of such closures shall be given by the conspicuous posting of signs at such closed areas.
2. The Open Space Division is authorized and empowered to (i) designate those portions of Open Space Lands upon which specified and designated uses will be permitted, and (ii) based on guidelines and requirements developed by the Open Space Division, issue an Open Space Lands permit (Park Permit) to a person or

organization conducting a commercial, group or special activity on Open Space Lands.

3. Pursuant to Section 29-7-101(2), C.R.S., the Board of County Commissioners (Board) authorized use of the penalty assessment procedure provided in Section 16-2-201, C.R.S., as amended.
 - a. Anyone violating any rule and regulation (Park Regulation) contained in this Policy shall be guilty of a civil infraction pursuant to 29-7-101(2), C.R.S., and upon conviction shall be subject to the minimum fine as set forth in the Procedure that implements this Policy.
 - b. Fines: The Board authorizes the Director of the Parks Department to establish reasonable fines for violations of these Park Regulations. The fines shall be made available in the Procedure that implements this Policy.
4. The Board authorizes the Jefferson County Open Space Rangers to enforce these Park Regulations by issuance of citations or summonses and complaints.
5. The penalty assessment procedure provided in Section 16-2-201, C.R.S., shall be followed by any law enforcement officer for any such violation.
6. All collected fines shall be paid into a Jefferson County Open Space Account.
7. Each day a violation occurs is a separate offense for which a separate fine is assessed.

C. Violations

1. Fishing: It shall be unlawful for any person fishing on Open Space Lands, or occupying Open Space Lands with the intent to fish, to fail to comply with the Colorado Parks and Wildlife (CPW) Rules and Regulations regarding fishing, as they may be amended from time to time. These CPW Rules and Regulations are hereby adopted in their entirety, except for the fine amount identified herein.
2. Hunting/Trapping: It shall be unlawful to hunt or trap any wild animal, or to place or set traps, on Open Space Lands without a valid Jefferson County Open Space Hunting Access Permit.
3. Feeding Wildlife:
 - a. It shall be unlawful to feed, or attempt to feed, any wildlife on Open Space Lands.
 - b. It shall be unlawful to store food at campsites on Open Space Lands except in the food storage boxes provided.

4. Releasing Wildlife: It shall be unlawful to release any wildlife or domesticated animal on Open Space Lands.
5. Natural Resources Protection Closure: It shall be unlawful to enter, use or occupy Open Space Lands during the time such Lands are designated as Sensitive Areas, seasonal closures, study area closures, wildlife protection closures, refuges or other protected areas.
6. Destruction of Natural/Cultural Resources:
 - a. It shall be unlawful to deface, damage or in any other way vandalize any vegetation, rock or any object of archaeological, biological, geological or historical interest on Open Space Lands.
 - b. It shall be unlawful to attach any object including but not limited to, slack-lines, clothes lines, tents, hammocks or shade structures, to trees or structures.
7. Collection of Natural Resources: It shall be unlawful to take, collect, gather or possess any animal, any part of an animal, vegetation, rock, wood or any other object on Open Space Lands.
8. Destruction of Wildlife Habitat: It shall be unlawful for any person, or any pet under their custody, control or ownership, to alter, damage, destroy, remove or in any other way vandalize wildlife habitat features on Open Space Lands, including, but not limited to, animal dens, burrows, dwellings or nests.
9. Wildlife Protection: It shall be unlawful for any person, or any pet under their custody, control or ownership, to harass, chase, harm, capture, kill, maim or possess any wildlife including, but not limited to, mammals, birds, reptiles, amphibians and fish on Open Space Lands.
10. Livestock:
 - a. It shall be unlawful for any person, or any pet under their custody, control or ownership to kill, harass, harm or chase any livestock on Open Space Lands.
 - b. It shall be unlawful to turn livestock loose and/or to negligently or intentionally allow livestock to graze on Open Space Lands without written permission from the Open Space Division.
11. Pets:

- a. It shall be unlawful for any person on Open Space Lands to fail to keep any pet under their custody, control or ownership on a leash and under physical control. "Leash" means a strap, cord or chain ten (10) feet or less in length.
- b. It shall be unlawful for any person to allow any pet under their custody, control or ownership to be Open Space Lands where the pet is off leash and (i) the pet is not within sight of the person or (ii) the person is not present on Open Space Lands.
- c. It shall be unlawful for any person on Open Space Lands to fail to immediately pick-up, carry out and deposit in a waste receptacle, pet excrement deposited by any pet under their custody, control or ownership.

12. Fires:

- a. Except for the proper use of liquid or gas fueled grills or camp stoves in designated camping and picnic areas, it shall be unlawful on Open Space Lands to (1) burn any material; (2) start, light, maintain, leave unattended, or fail to completely extinguish any fire; (3) fail to extinguish and safely dispose of a cigarette or other smoking device; (4) violate the conditions of any imposed fire restrictions or fire ban; or (5) possess, ignite or discharge fireworks or other explosive or incendiary devices.
- b. It shall be unlawful to smoke or use an electronic smoking device on Open Space Lands except within an enclosed vehicle or a portion of a parking lot or developed trailhead that is devoid of all vegetation. Smoking means the possession of a lighted cigarette, cigar, or pipe containing tobacco or other organic burning matter, regardless of its composition, or the lighting of such cigarette, cigar, or pipe by any person. Smoking shall include the use of electronic smoking devices and tobacco/marijuana vaporizers.

13. Damage To Property/Vandalism: It shall be unlawful to remove, destroy, deface, damage or in any other way vandalize any amenity, facility, building, structure, poster, sign or marker on Open Space Lands.

14. Litter: It shall be unlawful to deposit or leave any refuse, trash or litter in or on Open Space Lands except by depositing such refuse, trash or litter in designated waste receptacles.

15. Firearms/Projectiles:

- a. Except as otherwise authorized by law or under this Policy, it shall be unlawful to openly carry, possess, discharge or use a firearm or archery device on Open Space Lands.
- b. Except as otherwise authorized under this Policy, it shall be unlawful to possess, discharge or use other devices that discharge a projectile including,

but not limited to, B-B guns, pellet guns, air guns, paintball guns, Airsoft-type guns and slingshots on Open Space Lands.

16. Hazardous Activity:

- a. It shall be unlawful for any person to engage in any careless behavior or activity on Open Space Lands that constitutes a hazard to their safety or to the safety of other visitors.
- b. It shall be unlawful for any person to engage in any reckless behavior or activity on Open Space Lands that constitutes a hazard to their safety or to the safety of other visitors.

17. Use of Motorized Vehicles: It shall be unlawful to operate any motorized vehicle including, but not limited to, one wheels and powered scooters, on Open Space Lands except on designated public roadways.

18. Use of E-bikes:

- a. It shall be unlawful to operate a Class 1 electrical assisted bicycle (e-bike) on Open Space Lands except on natural surface trails or paved trails where bicycles are authorized to travel.
- b. It shall be unlawful to operate a Class 2 e-bike on Open Space Lands except on paved trails where bicycles are authorized to travel.
- c. It shall be unlawful to operate a Class 3 e-bike on Open Space Lands except on roads and in parking lots where motorized vehicles are authorized to travel.

19. Swimming/Boating: It shall be unlawful to swim, boat, wade or float upon any flotation device on any waters on Open Space Lands where so posted.

20. Closed Areas: It shall be unlawful to enter, use or occupy Open Space Lands, or any portion thereof, during the time such Open Space Lands, or any portions thereof, are closed to entry, use or occupancy.

21. Park Hours:

- a. It shall be unlawful to enter, use or occupy Open Space Lands from one (1) hour after sunset to one (1) hour before sunrise, unless posted otherwise.
- b. It shall be unlawful to park any vehicle and/or trailer on Open Space Lands outside park hours without a valid camping permit clearly posted on said vehicle.

22. Camping: It shall be unlawful to camp overnight, park any vehicle, trailer or camper for overnight camping purposes on Open Space Lands except by advance permit in areas designated for camping, or camp or park a trailer or camper in such a designated area outside the posted or permitted time limits.

23. Parking:

- a. It shall be unlawful to park bicycles, vehicles or trailers on Open Space Lands where prohibited or in such a manner as to create a hazard or to obstruct vehicular, pedestrian, equestrian or bicycle traffic or damage natural resources.
- b. It shall be unlawful for a vehicle and/or trailer to be parked in a disability parking space on Open Space Lands unless said vehicle and/or trailer displays a valid state-issued disability license plate, tag or placard.
- c. It shall be unlawful to park any vehicle and/or trailer on any Open Space Lands in such a manner that obstructs access to emergency vehicles and/or equipment.

24. Passing On Trails:

- a. It shall be unlawful to fail to yield on Open Space trails. Yielding Order: When passing from any direction on Open Space trails, all visitors must give the right-of-way to equestrians; bicyclists and other wheeled visitors (except wheelchair visitors) must also give the right-of-way to pedestrians.
- b. It shall be unlawful to fail to pass safely on Open Space trails. At no less than fifteen (15) feet of approach from any direction, slow to a walking speed, communicate and gain the attention of other visitors. Pass safely, in single file and when oncoming traffic is clear. Stop when necessary to allow safe passage.

25. Unreasonable Noise:

- a. It shall be unlawful to use sound amplification devices on Open Space Lands or to permit unreasonably loud noises that would disturb others.
- b. It shall be unlawful to cause a public inconvenience or alarm by making unreasonably loud noises during camping quiet hours from 10:00 p.m. to 6:00 a.m.

26. Projectiles and Piloted Craft:

- a. Except as authorized by law or under this Policy, it shall be unlawful to throw, discharge, launch, operate by remote control or land any type of unpiloted drone (unmanned aircraft system), missile, rocket, car, boat, or other craft from, on or above Open Space Lands including waters.
 - b. Except as authorized by law or under this Policy, it shall be unlawful to launch, land or operate any piloted craft including, but not limited to, helicopters, airplanes, ultralights, gliders, hanggliders, paragliders, BASE jumpers, sky divers, powered parachutes, hot air balloons, or boats from, on or above Open Space Lands including waters.
27. Unlawful Improvements: It shall be unlawful to construct, place or maintain any kind of road, trail, structure, fence, enclosure, fixed hardware, communication equipment or other improvements on Open Space Lands.
28. Abandoned Property: It shall be unlawful to leave any personal property unattended on Open Space Lands in excess of 24 hours unless authorized.
29. Dumping: It shall be unlawful to deposit or leave any residentially or commercially generated refuse, trash, landscaping debris, yard waste, animal remains or any other materials on Open Space Lands.
30. Park Permits:
- a. It shall be unlawful to conduct on Open Space Lands a group or special activity, as defined by the Open Space Division, without first obtaining a valid Park Permit.
 - b. It shall be unlawful to violate any term or condition of a Park Permit.
31. Team Sports: It shall be unlawful to organize or participate in any team sport or activity on Open Space Lands involving the placement or use of sporting equipment or apparatus including, but not limited to, goals, nets, pits, hoops or boundary delineation.
32. Posted Notices: It shall be unlawful to violate any posted sign or other notice, or to violate any Park Regulation-based guideline or rule established by the Open Space Division including, without limitation, as set forth in any brochure for any Open Space Lands.
33. Interference: It shall be unlawful while on Open Space Lands to knowingly obstruct, impair, or hinder the performance of the official duties of an Open Space Ranger by, without limitation, failure to comply with a lawful request to immediately leave Open Space Lands, eluding or evading an Open Space Ranger, harassment of an Open Space Ranger, or providing false or misleading information with the intent to mislead said person in the performance of their duties.

34. Trespass Notice: Repeated or severe violations of these Park Regulations may result in the issuance of a Trespass Notice by an Open Space Ranger and a ban from Open Space Lands for up to twelve (12) months. It shall be unlawful for any person to violate the terms of a Trespass Notice issued to that person.
35. Habitual Violations: Three (3) or more recorded violations of these Park Regulations within a 24-month period shall result in a fine.
36. Group Size on Trails: It shall be unlawful to exceed the maximum group size of 14 hikers, walkers, or runners, or 8 bikers or equestrians, on Open Space Lands. Affiliated groups may not travel within $\frac{1}{4}$ mile of each other if the total group size exceeds the regulated limit.
37. Posting: No signs, posters, banners, advertising, or other written materials, shall be constructed, erected, installed, or placed on Open Space Lands.
38. Commercial Activity: It shall be unlawful to sell or advertise a service or product while on Open Space Lands.