TOWN OF OAK CREEK

ORDINANCE NO. 664

AN ORDINANCE AMENDING CHAPTER 8.30 PARK SAFETY OF THE OAK CREEK MUNICIPAL CODE

WHEREAS, Chapter 8.30 of the Oak Creek Municipal Code provides park safety regulations; and

WHEREAS, the park safety regulations are concerning the use of Town owned park property and include hours, motorized vehicle use, parking, consumption of alcohol, extended hours and camping; and

WHEREAS, the Board considered amendments of Chapter 8.30 at public meetings held on February 23, 2023 and March 9, 2023; and

WHEREAS, the Board considered this Ordinance amending the Oak Creek Municipal Code Chapter 8.30 Park Safety, at a public meeting held on April 13, 2023; and

WHEREAS, the Board has determined it is necessary to amend certain provisions contained in Chapter 8.30 Park Safety; and

WHEREAS, Trustee _____ made a motion to approve the amendments to Chapter 8.30 Park Safety as proposed. Trustee _____ seconded the motion. The motion passed unanimously.

NOW, THEREFORE, be it ordained by the Board of Trustees of the Town of Oak Creek as follows:

Section 1. The Town of Oak Creek Municipal Code Chapter 8.30 Park Safety is hereby amended as follows (additions are underlined, deletions are struck-through):

8.30.010 Hours closed.

Park land shall be closed to the public from 10:30 p.m. to 7:30 a.m., seven nights a week.

8.30.020 Motorized vehicles.

No motorized vehicles shall be allowed on any park lands, except in areas designated specifically for parking or vehicular traffic. ~~Parking in Town Park shall be restricted to the area west of the concession stand and no vehicular traffic shall be allowed beyond this point.~~ Said parking areas shall be clearly posted.

8.30.030 Parking of vehicles.

(a) Parking of vehicles, in any area of any Town p~~P~~ark, shall not be allowed from 10:30 p.m. to 7:30 a.m., seven nights a week.

~~(a)~~(b) Parking of vehicles must be in designated parking areas.

8.30.040 Consumption of alcohol.

The storage, sale or consumption of any malt, vinous or spirituous liquors (alcoholic beverages), as defined by the Colorado Liquor Code, is prohibited in any Town owned park, recreation area, recreation trail or recreation structure except as specifically provided herein:

(a) ~~By permit only~~ Pursuant to a Special Event Permit issued by the Town in accordance with ~~Ordinance 343~~ Section 44-5-101, C.R.S. and Resolution 2022-010.

(b) Without a Special Event Permit, approved by the Town Board, it shall be unlawful for any adult in any Town owned park, recreation area, recreation trail or recreation structure to have more than 72-ounces of malt, vinous or spirituous liquors in their possession. A group of adults may possess a combined amount of malt, vinous or spirituous liquors not to exceed a combined total greater than 72-ounces per adult.

(c) By permit approved and issued by the Town Administrator or Chief of Police and only for Decker Park or Four Seasons Skate Park (Ice Rink/Hut) or Main Street Park. Permits may only be obtained by person's 21-years of age or older when renting the park.

(d) By permit approved by the Town Board at a regular or special meeting.

(e) By permit(s) approved by the Town Board AND by the Routt County Board of County Commissioners for any Town parks located outside the Town limits.

(f) Pursuant to a third-party lease of a Town park, such as the Four Seasons Skate Park (Ice Rink and Hut) aka Oak Creek Ice Rink.

(g) Consumption of alcohol on Town trails is not allowed.

(h) No alcoholic beverages in glass containers are allowed within any park or recreation area.

(i) Spirituous Liquor is not allowed.

(j) No kegs are allowed without a Special Event Permit.

(k) No consumption of any malt, vinous or spirituous liquors, as defined by the Colorado Liquor Code, is allowed in any non-Town owned park without the owner's permission, including but not limited to school district properties and neighborhood parks.

8.30.050 Extended hours.

Permission for using park lands, during the hours they are normally closed, may be requested from the Board of Trustees.

8.30.060 Camping.

Camping on park lands shall be prohibited.

SECTION 2. **SEVERABILITY, CONFLICTING ORDINANCES REPEALED**. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. All other ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 3. **EFFECTIVE DATE**. This ordinance shall take effect and be in full force and effect thirty (30) days after adoption and publication pursuant to C.R.S. § 31-16-105.

INTRODUCED, READ, APPROVED AND ORDERED PUBLISHED this 13th day of April, 2023.

_____
Nikki Knoebel, Mayor

ATTEST:

_____
David Torgler
Town Administrator/Clerk