

**TOWN OF PALISADE, COLORADO
ORDINANCE NO. 2023-04**

**AN ORDINANCE OF THE TOWN OF PALISADE, COLORADO,
AMENDING CHAPTER 8, ARTICLE I OF THE PALISADE MUNICIPAL
CODE REGARDING OFF-HIGHWAY VEHICLES FOR TOWN USE
ONLY AND GOLF CARTS ON LOCAL STREETS.**

WHEREAS, the Town of Palisade (“Palisade” or the “Town”) is a Colorado municipality organized pursuant to Title 31 of the Colorado Revised Statutes and with the authority set forth therein; and

WHEREAS, Article I of Chapter 8 of the Palisade Municipal Code (the “Code”) adopted the Model Traffic Code, 2020 Edition; and

WHEREAS, Section 8-4 of the Code includes additions and modifications to the Model Traffic Code, including a prohibition on off-highway vehicle operation; and

WHEREAS, pursuant to 109.2(1)(f) of Section 8-4 of the Code, off-highway vehicle operation is prohibited but may be permitted when the Town has authorized by ordinance or resolution the establishment of off-highway vehicle routes to permit the operation of off-highway vehicles on Town streets, but no street which is part of the State highway system may be so designated; and

WHEREAS, the Town desires to utilize off-highway vehicles for law enforcement and other Town official purposes within the Town limits and to authorize the use of golf carts on local streets pursuant to C.R.S. §42-4-111(1)(bb); and

WHEREAS, the Board of Trustees finds and determines that it is in the interest of the Town to update and amend the Code for use of off-highway vehicles on Town streets as set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALISADE, COLORADO THAT:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. Article I of Chapter 8 of the Palisade Municipal Code is hereby amended by enacting the following sections to Article I as follows:

Sec. 8-11. Off-Highway Vehicles – Applicability Only for Town Purposes.

Off-highway vehicles shall be allowed on local streets within the Town of Palisade for Town law enforcement and Town official purposes only and not for the general public, subject to the restrictions provided herein. The provisions of the Model Traffic Code, as amended within the Palisade Municipal Code, shall apply throughout the Town.

Sec. 8-12. Off-Highway Vehicles – Designated Routes.

Off-highway vehicles may be operated on all local streets within the Town of Palisade by Town law enforcement and Town official purposes, consistent with the following:

1. Off-highway vehicles may not be operated on US Highway 6 (aka G Road, Front Street, Eighth Street), as outlined in C.R.S. § 33-14.5-108(f).
2. Crossing of US Highway 6 (aka G Road, Front Street, Eighth Street), including the adjacent frontage roads, shall only be permitted in accordance with C.R.S. § 33-14.5-108.05.

Sec. 8-13. Off-Highway Vehicles – Restrictions.

Any Town employee operating an off-highway vehicle in the incorporated areas of the Town of Palisade shall comply with all rules and regulations applicable to such vehicles adopted by the state of Colorado and/or the Federal Government, including, but not limited to, Article 14.5 of Title 33, C.R.S., and the following:

1. Any Town employee operating an off-highway vehicle within the Town of Palisade must be at least sixteen (16) years of age and have in their possession a valid current driver's license issued by the state of Colorado, or by any other state.
2. When operated on any local street or county road within the Town, off-highway vehicles shall be considered to be "motor vehicles" as defined in the Colorado Motor Vehicle Financial Responsibility Law, Article 7 of Title 42, C.R.S. and the Town shall maintain liability insurance equal to at least the minimum amount required by law
3. Off-highway vehicles operated within the Town by Town departments shall be equipped with:
 - a. A muffler in constant operation and properly maintained;
 - b. A spark arrestor in good working order which has been approved by the U.S. Forest Service as evidenced by a bona fide permanent marking of "qualified" or "approved" on the spark arrestor;
 - c. A braking system that may be operated by hand or foot, capable of producing deceleration of fourteen (14) feet per second on level ground at a speed of twenty (20) miles per hour;
 - d. At least one (1) lighted head lamp and one (1) lighted tail lamp, each having the minimum candlepower prescribed by regulation of the Division of Parks and Wildlife while being operated between the hours of sunset and sunrise;
 - e. At least one (1) rear-view mirror; and

- f. At least one (1) functioning brake light.
4. Town employees operating off-highway vehicles within the Town shall use proper hand signals to warn other drivers of their intentions such as to turn or stop.
5. It shall be unlawful for a Town employee to operate an off-highway vehicle within the Town in any of the following manners:
- a. In excess of twenty-five (25) miles per hour or the posted speed limit, whichever is less;
 - b. On any portion of any street except the far right portion of the street, or as designated by signage or roadway striping;
 - c. To drive together in any pattern except single file;
 - d. Upon any state highway under the jurisdiction of the Colorado Department of Transportation;
 - e. Notwithstanding any other portion of this section, off-highway vehicles may be driven in the left portion of the street when preparing for a left turn;
 - f. To tow objects or people behind such vehicle;
 - g. To carry more people than such vehicle is designed to carry;
 - h. To operate such vehicle on sidewalks within the Town.
6. Notwithstanding any restriction contained herein, pursuant to C.R.S. §42-4-108(2), the driver of an authorized emergency vehicle, when responding to an emergency call, or when in pursuit of an actual or suspected violator of the law, or when responding to but not upon returning from a fire alarm, may:
- a. Park or stand, irrespective of the provisions of this C.R.S. Title 42;
 - b. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
 - c. Exceed the lawful speeds set forth in section C.R.S. §42-4-1101 (2) or exceed the maximum lawful speed limits set forth in section C.R.S. §42-4-1101 (8) so long as said driver does not endanger life or property; and
 - d. Disregard regulations governing directions of movement or turning in specified directions.

Sec. 8-14. Off-Highway Vehicles – Special Events.

For the purposes of a prearranged organized special event and upon a showing that safety will be reasonably maintained, the Town Manager may grant a special permit exempting the operation of an off-highway vehicle from any requirement of this chapter.

Sec. 8-15. Golf Cars.


Pursuant to C.R.S. §42-4-111(1)(bb), the Town authorizes the use of golf cars, also known as golf carts, on any local street within the Town consistent and in compliance with Title 42, C.R.S; provided:

1. Any person operating a golf car within the Town of Palisade must be at least sixteen (16) years of age and have in their possession a valid current driver's license issued by the state of Colorado, or by any other state;
2. A golf car operated within the Town shall display a triangular slow-moving vehicle emblem on the rear, have rear tail/break lights and reflex reflectors one on each side and one on the rear; must have a windshield or protective eye wear, and must have headlights and taillights if operating at night, and;
3. A golf car shall not operate on a state highway; except a golf car may directly cross a state highway at an at-grade crossing to continue traveling along a roadway that is not a state highway.

INTRODUCED, READ, PASSED, APPROVED AND ORDERED PUBLISHED BY TITLE, at the regular meeting of the Board of Trustees of the Town of Palisade, Colorado held on June 13, 2023 and continued to June 27, 2023.


TOWN OF PALISADE, COLORADO

By:



Greg Mikolai, Mayor

ATTEST:



Keli Frasier, Town Clerk

