

ORDINANCE NUMBER 2 - 2009

**AN ORDINANCE AMENDING AND RESTATING ORDINANCE NO. 1 (2008)
CONCERNING GOLF CARTS AND OTHER OFF-ROAD VEHICLES**

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF ECKLEY:

Section 1: Definition: No individual shall be allowed to operate any electrical golf cart, motorized golf CART, neighborhood electric vehicle as defined by Section 42-1-102, Colorado Revised Statutes, FOUR BY FOUR ALL-TERRAIN VEHICLES, OR GATOR UTILITY VEHICLES, on the streets, avenues, alleys or highways within the Town of Eckley, except as follows:

1. The operator must have a valid Colorado drivers license.
2. Golf carts must have working head lights and tail lights.
3. INDIVIDUALS MUST APPLY FOR A PERMIT TO OPERATE FOUR BY FOUR ALL-TERRAIN VEHICLES AND GATOR UTILITY VEHICLES WITHIN THE TOWN OF ECKLEY. THE APPLICATION FOR A PERMIT SHALL BE REVIEWED BY THE TOWN CODE ENFORCEMENT OFFICER WHO SHALL EITHER GRANT OR DENY SUCH APPLICATION IN WRITING. IF GRANTED, THE PERMIT SHALL STATE ALL LIMITATIONS ON THE USE OF SAID VEHICLE AND THE VEHICLE SHALL ONLY BE OPERATED BY THE NAMED PERSON APPLYING FOR THE PERMIT. SUCH PERMIT SHALL BE VALID FOR UP TO ONE YEAR AND MAY BE RENEWED ANNUALLY UPON SUBMISSION OF AN APPLICATION TO THE TOWN CODE ENFORCEMENT OFFICER WHO SHALL EITHER GRANT OR DENY THE RENEWAL APPLICATION. THE PERMIT FEE SHALL BE FIVE DOLLARS (\$5.00), WHICH FEE MAY BE AMENDED FROM TIME TO TIME BY TOWN RESOLUTION.
4. NO INDIVIDUAL SHALL OPERATE ANY ELECTRICAL GOLF CART, MOTORIZED GOLF CART, NEIGHBORHOOD ELECTRIC VEHICLE, FOUR BY FOUR ALL TERRAIN VEHICLE OR GATOR UTILITY VEHICLE CONTRARY TO STATE LAW.

Section 2: Violators shall be subject to a fine of not less than \$50.00 or more than \$300.00. IN ADDITION TO ANY FINE IMPOSED HEREUNDER, FAILURE TO OPERATE FOUR BY A FOUR ALL-TERRAIN VEHICLE OR A GATOR UTILITY VEHICLE IN ACCORDANCE WITH THE OPERATOR'S PERMIT MAY RESULT IN THE REVOCATION OF THE PERMIT BY THE TOWN'S CODE ENFORCEMENT OFFICER.

Introduced, read and ordered published this 11 day of August, 2009.

Published, passed and approved this 1st day of September 2009.

TOWN OF ECKLEY



Michael Leerar, Mayor

ATTEST:



Carolyn J. Copley
Town Clerk-Treasurer