

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

A RESOLUTION ADOPTING UPDATED RULES AND REGULATIONS FOR ADAMS
COUNTY PARKS, TRAILS, OPEN SPACE AND CULTURAL ARTS AREAS

Resolution 2021-228

WHEREAS, the Adams County Board of County Commissioners (“Board”) is authorized by Colorado Revised Statutes (C.R.S.) § 18-9-117 and § 29-7-101(2), as amended, to adopt rules and regulations pertaining to Adams County public recreation lands and facilities; and,

WHEREAS, Adams County, through the Board, has adopted such Rules and Regulations; and,

WHEREAS, the Rules and Regulations are for the purpose of administration, protection, maintenance, regulation, and control of property which Adams County owns, leases, or otherwise manages as parks, trails, open space, and cultural arts areas; and,

WHEREAS, Adams County has determined that the current Rules and Regulations should be updated in order to enhance its enforcement efforts and to enact penalties and fines for violations thereof; and,

WHEREAS, enactment of these Rules and Regulations constitutes neither a waiver of governmental immunity pursuant to §§ 24-10-101, et seq., C.R.S., as amended, nor the assumption of any duties of care to any person.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the Rules and Regulations for Adams County Parks, Open Space, and Cultural Arts (POSCA) Areas, which are attached hereto, and fully incorporated herein, are hereby approved and adopted.

BE IT FURTHER RESOLVED that any prior resolutions setting forth Rules and Regulations for Adams County parks, trails, open space, and cultural arts areas, which are inconsistent herewith, are hereby expressly repealed and replaced by the attached Rules and Regulations.

Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

Henry _____ Aye
Tedesco _____ Aye
Pinter _____ Aye
O’Dorisio _____ Aye
Baca _____ Aye
Commissioners

STATE OF COLORADO)
County of Adams)

I, Josh Zygielbaum, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, Colorado this 6th day of April A.D. 2021.

County Clerk and ex-officio Clerk of the Board of County Commissioners

Josh Zygielbaum:



By:



Deputy

**RULES AND REGULATIONS FOR ADAMS COUNTY
PARKS, OPEN SPACE, AND CULTURAL ARTS (POSCA) AREAS**

These Rules and Regulations are adopted pursuant to the authority granted in Colorado Revised Statutes (C.R.S.) § 18-9-117 and § 29-7-101(2) and apply to all public recreation areas and facilities owned or operated by Adams County, Colorado.

ARTICLE I. PROHIBITED ACTS, GENERALLY

RULE 1. CAMPING/RECREATION

- (a) It is unlawful to camp overnight, or to park any vehicle, trailer, or camper for overnight camping purposes, in any Adams County park, trail, open space area, or facility.

Exceptions to this Rule 1(a) may only be granted for overnight RV parking permits issued by Adams County staff in association with a contracted or official county event at the Riverdale Regional Park. All permits issued for overnight RV parking will be in accordance with established policies and procedures.

A violation of Rule 1(a), unauthorized overnight camping, is punishable by a fine of \$75.00.

- (b) Tents, booths, stands, awnings, and similar structures are prohibited unless prior consent has been granted from the Adams County POSCA Department Director.

A violation of Rule 1(b), erecting a tent, booth, awning canopy, or similar structure without permission, is punishable by a fine of \$50.00.

- (c) The use of stakes of any kind is prohibited. Canopies, jumping castles or similar inflatables may be allowed, however, they must be secured with weights. Unsecured tents, jumping castles, or similar inflatables are prohibited.

A violation of Rule 1(c), prohibited use of stakes or unsecured tents and inflatables, is punishable by a fine of \$50.00.

- (d) The use or operation of any device producing sound in such a manner, or at such a time, so as to unreasonably interfere with another person's use or enjoyment of a public use area, or to disturb the natural soundscape in any Adams County owned public recreation area is prohibited.

A violation of Rule 1(d), using or operating a sound producing device which unreasonably interferes with another person's use or enjoyment, or disturbs the natural soundscape, is punishable by a fine of \$75.00.

RULE 2. FIRES, GRILLS, AND GENERATORS

- (a) Open fires, including campfires, are unlawful on all Adams County parks, trails, and open space areas. Exceptions to this Rule may be granted only with permission from the Adams County POSCA Department Director.

A violation of Rule 2(a), to unlawfully make any open fire, including campfires, anywhere within Adams County parks, trails, and open space areas, is punishable by a fine of \$150.00

- (b) Charcoal fires may be built only in designated picnic grills. All residues must be left in the provided grills. Propane grills are permitted. Gas generators are permitted, however, they must be placed on a wooden or similar base to prevent damage to native or other turf.

A violation of Rule 2(b), to unlawfully build a charcoal fire outside of a designated grill or utilize a gas generator resulting in damage to native or other turf, is punishable by a fine of \$75.00.

- (c) All charcoal fires must be safely and completely extinguished as soon after grilling as possible.

A violation of Rule 2(c), leaving a fire unattended at any time, is punishable by a fine of \$75.00.

- (d) All visitors must comply with any state or local fire ban or fire restriction.

A violation of Rule 2(d), failing to comply with a state or local fire ban or restriction, is punishable by a fine of \$150.00.

- (e) Any fires built within Adams County parks, trails, or open space areas may not be permitted to burn in a manner which, through carelessness or negligence, places the safety of persons at risk or results in natural resource damage.

A violation of Rule 2(e), allowing a fire to burn in a careless manner, is punishable by a fine of \$150.00.

RULE 3. USE RESTRICTIONS AND CLOSURES

- (a) Hours. Adams County's parks, trails, and open space areas and facilities are open for daytime use only, between 5:00 a.m. and 11:00 p.m. Contracted and permitted events are excepted. No person shall enter or remain in any Adams County park, trail, or open space area or facility at any other time without authorization.

A violation of Rule 3(a), occupying an Adams County park, trail, or open space area or facility at times outside of allowed hours, is punishable by a fine of \$75.00.

- (b) Closures. The Adams County POSCA Department Director may from time to time determine that closure of Adams County park, trail, or open space areas to the public and/or to certain animals is necessary or appropriate due to wildlife, vegetation, management review, contractual agreement, public safety concerns, and/or other resource protection needs. It is unlawful for any unauthorized person to enter such closed areas.

A violation of Rule 3(b), to unlawfully enter a closed area without authorization, is punishable by a fine of \$75.00.

- (c) Trail Use. All trail users must yield to other trail users in the manner defined herein or as otherwise posted at trailheads. The appropriate order for yielding the trail right-of-way is as follows:

- all users yield to equestrians,
- bicyclists yield to pedestrians,
- bicyclists headed downhill yield to bicyclists headed uphill.

Yielding the right-of-way requires slowing down to a safe speed, being prepared to stop, establishing communication, and passing safely.

A violation of Rule 3(c), failing to yield to other trail users in the manner defined, is punishable by a fine of \$50.00.

- (d) Adams County may, by resolution, adopt use restrictions on specific parks, trails, or open space areas when such restrictions are necessary for resource protection or safety-related issues. Such restrictions shall be posted at the parks, trailheads, or open space areas. Accessing restricted areas so posted is prohibited.

A violation of Rule 3(d), entering, using, or occupying Adams County POSCA properties, or any portion thereof, during the time such areas, or any portions thereof, are

designated as sensitive areas, seasonal closures, wildlife protection closures, refuges, no-public-access areas, or any other protected area, is punishable by a fine of \$75.00.

- (e) Adams County parks, trails, or open space areas being managed for agricultural purposes, whether by Adams County or a lessee, are closed to the public unless trails and other related facilities are designated for another purpose by the County. It is unlawful for any unauthorized person to enter such closed areas.

A violation of Rule 3(e), entering a closed area within Adams County parks, trails, and open space areas being managed for agricultural purposes, is punishable by a fine of \$75.00.

- (f) It is unlawful to swim, dive, ice skate, walk on ice, or use any floatation device not designed for fishing, commonly known as a “belly boat” in or on any lake or pond within any Adams County Park, Trail or Open Space area unless the area is specifically posted to allow such activity.

A violation of Rule 3(f), to swim, dive, ice skate, or walk on ice in or on any lake or pond, within any Adams County park, trail or open space areas, or the use of an unpermitted floatation device, is punishable by a fine of \$75.00.

- (g) No person shall ride a bicycle, including electric powered bikes or unicycles, within any Adams County park, trail, or open space area except on trails where such use is designated, including day-of-use and directional designations, and at the Riverdale Regional Park. Strollers and wheelchairs are exempted from this regulation and are permitted within any Adams County park, trail, or open space area. Individuals with mobility disabilities may use other power-driven mobility devices (“OPDMDs”) on any trails open for pedestrian use in accordance with the provisions of Rule 14.

A violation of Rule 3(g), to ride a bicycle, including electric powered bikes or unicycles, within any Adams County park, or open space area except on trails where such use is designated, is punishable by a fine of \$50.00.

RULE 4. RESOURCE PROTECTION

- (a) It is unlawful for any unauthorized person to remove, move, modify, destroy, mutilate, collect, or deface any natural or man-made object within any Adams County park, trail, or open space area, including but not limited to trees, downed timber or branches, shrubbery, plants, flowers, rocks, fossils, fences, gates, water-control devices, signs, kiosks, restrooms, tables, benches, cultural resources, trash containers or any other public property.

A violation of Rule 4(a), to remove, move, modify, destroy, mutilate, collect, or deface any natural or man-made object, within any Adams County park, trail, or open space area, is punishable by a fine of \$150.00.

- (b) It is unlawful to plant vegetation of any type or place any other type of landscape material or establish or construct trails or other facilities for public or private use without permission from the Adams County POSCA Department Director.

A violation of Rule 4(b), to plant vegetation of any type or place any other type of landscape material or establish or construct trails or other facilities for public or private use without the permission from the Adams County POSCA Department Director, is punishable by a fine of \$50.00.

- (c) It is unlawful for any unauthorized person to engage in the motorized or mechanized mining of gold or other ores within any Adams County park, trail, or open space area. Placer mining using panning methods by hand is permitted.

A violation of Rule 4(c), unauthorized mining of gold or other ores, is punishable by a fine of \$300.00.

RULE 5. DOMESTIC ANIMALS (PETS) / LIVESTOCK

- (a) Any dog or other domestic animal within an Adams County park, trail, or open space area shall be restrained by a maximum of a twelve-foot (12') leash, cord, rope, or chain and be under the physical control of a person, except as otherwise provided for in this Rule, or as posted with approval from the Adams County POSCA Director. "Physical Control" specifically does NOT mean eye or voice command or electronic devices.

Exceptions to this Rule are permitted for the use of a dog as a service animal so long as such use is in all respects in compliance with the regulations in 28 CFR § 35.136. A service animal must be individually trained to do work or perform tasks for the benefit of its handler's disability. Provision of emotional support, well-being, comfort, or companionship do not qualify as "work" or "tasks" which may be provided by a service animal. Emotional support, well-being, comfort, or companionship animals are not protected under the Americans with Disabilities Act (ADA) and may be restricted in Adams County parks, trails, open space areas, and facilities.

A violation of Rule 5(a), to bring or allow a dog or other domestic animal that is not under physical control, onto areas to which these regulations apply, is punishable by a of fine of \$75.00.

- (b) Dogs may be prohibited within specific Adams County park, trail, or open space areas at the discretion of the Adams County POSCA Department Director.

A violation of Rule 5(b), permitting dogs to be within a prohibited area, is punishable by a fine of \$75.00.

- (c) It is unlawful for any owner/keeper to allow their domestic animal(s) within an Adams County park, trail, or open space area to engage in aggressive behavior or any activity that interferes with the health, safety, or welfare of users, livestock, other domestic animals, or neighbors in the area; or which creates a nuisance, including unwanted physical contact or threatening behavior with any user, domestic animal, or livestock.

A violation of Rule 5(c), to allow a domestic animal to create a nuisance, noise, or disturbance, is punishable by a of fine of \$75.00.

- (d) Domestic animals or livestock may be tied by a lead or rope sufficient to restrain the animals, however they shall not be left tied and unattended nor tied in any manner which damages vegetation or structures, or which interferes with or disturbs the public's use of established trails, picnic areas, or other recreational areas.

A violation of Rule 5(d), to leave a pet unattended at any time or tied in a manner which damages vegetation or structure(s), or interferes with or disturbs public use of trails, picnic areas, or other recreational areas, is punishable by a fine of \$75.00.

- (e) It is unlawful to confine any animal in a motor vehicle in such a manner that places the animal in a life or health-threatening situation by exposure to a prolonged period of extreme heat or cold without proper ventilation or other protection from such heat or cold.

A violation of Rule 5(e), confining an animal in a motor vehicle in such a manner that places it in a life or health-threatening situation, is punishable by a fine of \$100.00.

- (f) Any person who brings a dog into an Adams County park, trail, or open space area shall dispose of that dog's excrement in an appropriate manner.

A violation of Rule 5(f), to bring a dog into an Adams County park, trail or open space area and fail to properly dispose of that dog's excrement in an appropriate manner, is punishable by a fine of \$50.00.

- (g) Horses must be under the physical control of a person at all Adams County park, trail, or open space areas except at the exhibitor and spectator areas at the Riverdale Regional Park.

A violation of Rule 5(g), to bring a horse, not under physical control, onto areas to which these regulations apply, is punishable by a fine of \$50.00.

- (h) Horses may not be ridden or handled in a careless or unsafe manner.

A violation of Rule 5(h), to ride or handle a horse in a careless or unsafe manner, on areas to which these regulations apply, is punishable by a fine of \$75.00.

- (i) All feed provided to livestock while on Adams County parks, trails, trailheads, or open space areas must be free of weeds and weed seeds. Livestock grazing is allowed only by lease or permission from the Adams County POSCA Department Director.

A violation of Rule 5(i), allowing livestock to graze on lands covered by these regulations without permission from the County or to provide feed containing weeds or weed seeds, is punishable by a fine of \$150.00.

RULE 6. HUNTING, TRAPPING, AND WILDLIFE

- (a) No person shall alter, damage, destroy, remove, or in any other way vandalize wildlife habitat features on any Adams County POSCA properties, including, but not limited to, animal dens, burrows, dwellings, nests, or nesting sites.

A violation of Rule 6(a), to alter, damage, destroy, remove, or in any other way, vandalize a wildlife habitat feature on any Adams County POSCA property, is punishable by a fine of \$75.00.

- (b) It is unlawful for any person to molest, disturb, harass, or harm, any wildlife, at any time within any Adams County park, trail, or open space area.

This provision shall not apply to any county, state, or federal government personnel authorized by the County to carry out a wildlife management program pursuant to applicable law or county-approved rules and regulations.

In accordance with Title 33 of the Colorado Revised Statutes (C.R.S.), “harass” means to unlawfully endanger, worry, impede, annoy, pursue, disturb, molest, rally, chase, drive, herd, or torment wildlife.

A violation of Rule 6(b), to molest, disturb, harass, or harm any wildlife, within an Adams County POSCA property, is punishable by a fine of \$50.00.

- (c) It is unlawful for any person to trap, hunt, pursue, or kill any wildlife, or to allow any domestic animal to do the same, at any time within any Adams County park, trail, or open space area, except where and when such activities are permitted at the discretion of the Adams County POSCA Department Director.

This provision shall not apply to any county, state, or federal government personnel authorized by the County to carry out a wildlife management program pursuant to applicable law or county-approved rules and regulations.

In accordance with Title 33, C.R.S., “hunt” means to pursue, attract, stalk, lie in wait for, or attempt to shoot, wound, kill, trap, capture, or collect wildlife. “Hunt” does not include stalking, attracting, searching, or lying-in wait for wildlife by an unarmed person solely for the purpose of watching or taking photographs of wildlife.

A violation of Rule 6(c), to engage in any hunting activity on any Adams County property unless such activity is authorized by current postings, is punishable by a fine of \$150.00.

- (d) No person shall intentionally feed, or attempt to feed, any wildlife within any Adams County park, trail, or open space without permission from the County.

This provision shall not apply to any county, state, or federal government personnel authorized by the County to carry out a wildlife management program pursuant to applicable law or county-approved rules and regulations.

A violation of Rule 6(d), to intentionally feed, or attempt to feed, wildlife, without permission, is punishable by a fine of \$50.00.

- (e) It is unlawful for any unauthorized person to relocate or release any wildlife or domesticated animals within any Adams County park, trail, or open space area, unless permission is specifically granted by the POSCA Director.

A violation of Rule 6(e), to unlawfully release or relocate any wildlife or domesticated animals within any Adams County park, trail, or open space area, without permission from the County, is punishable by a fine of \$50.00.

RULE 7. FISHING

Fishing is permitted in accordance with the Colorado Wildlife Commission's land and water regulations, except in open space areas designated and posted with special Adams County park, trail, or open space regulations. Ice fishing is prohibited on all Adams County park, trail, and open space areas. It is unlawful to violate special fishing regulations posted within any Adams County park, trail, or open space area. Rules and Regulations, fees, and special permit requirements shall be determined by the Adams County POSCA Department Director and posted at affected Adams County park, trail, or open space areas. The Adams County POSCA Department Director may modify these regulations or create new ones when deemed necessary for repairs, wildlife, vegetation, and/or public safety concerns.

- (a) All persons sixteen years and older shall procure and hold a proper and valid fishing license before fishing as required by C.R.S., Title 33.

In accordance with C.R.S., Title 33, "Fishing" means any effort made to take any fish, amphibian, crustacean, or mollusk, including by hook and line, handline, trot-line, jug, seine, net, underwater spear-fishing, archery, snagging, or gigging.

A violation of Rule 7(a), fishing without a proper and valid license, is punishable by a fine of \$75.00

- (b) No person shall fish with more than one (1) rod and line without an additional extra rod stamp as required by Colorado Parks and Wildlife (CPW) or fish with more than two (2) rods.

A violation of Rule 7(b), fishing with more than one rod while failing to possess an extra rod stamp, or fishing with more than two rods, is punishable by a fine of \$75.00.

- (c) No person shall have in their possession over the legal bag or possession limit of fish species as determined by CPW regulations.

In accordance with Title 33, C.R.S., "Bag Limit" is defined as the maximum amount, expressed in numbers, of fish that may be lawfully taken, caught, killed, or possessed by a person during one day. Fish released immediately are not part of the limit; and "Possession Limit" is defined as the maximum number of fish allowed at any time, including in the field, transporting, or at home in storage.

A violation of Rule 7(c), possessing over the legal bag or possession limit of fish, is punishable by a fine of \$75.00.

- (d) No person shall have in their possession a fish that does not meet the length requirements as determined by CPW law or special Adams County Park regulations.

In accordance with CPW guidelines, a fish's length is measured from the tip of the jaw to the tip of the tail placing the measuring device behind the fish, not following the curvature of the fish.

A violation of Rule 7(d), possession of a fish failing to meet the length requirement for the species possessed, is punishable by a fine of \$75.00.

- (e) No person shall fish with an unattended rod.

A violation of Rule 7(e), fishing with an unattended rod, is punishable by a fine of \$75.00.

- (f) It is unlawful to use bow & arrow, seines, cast nets, and/or live traps on any body of water for the purpose of fishing within Adams County parks, trails, or open space areas.

A violation of Rule 7(f), fishing by means prohibited by these Rules and Regulations, is punishable by a fine of \$75.00.

- (g) No person engaged in fishing shall violate special fishing regulations posted within any Adams County park, trail, or open space area to include limits to possession by length and mandatory catch and release requirement as posted.

In accordance with CPW, to "catch and release" means to release upon catching any fish alive and into the same body of water from which it was taken.

A violation of Rule 7(g), fishing in violation of special regulations as posted, is punishable by a fine of \$75.00.

- (h) Ice fishing is prohibited on all Adams County parks, trails, and open space areas.

A violation of Rule 7(h), to ice fish on waters within any/all Adams County parks, trails, and open space areas, is punishable by a fine of \$75.00.

RULE 8. BOATING

Rules and Regulations, fees, and special permit requirements shall be determined by the Adams County POSCA Department Director and posted at affected Adams County park, trail, and open space areas. The Adams County POSCA Department Director may modify these regulations or create new ones when deemed necessary for repairs, wildlife, vegetation, and/or public safety concerns.

Belly-boating for fishing is allowed in designated water bodies; other boating is only allowed as posted.

- (a) No person within Adams County parks, trails, or open space areas shall boat in a non-designated water body.

A violation of Rule 8(a), boating in a non-designated water body, is punishable by a fine of \$75.00.

- (b) Any person operating or having given permission to operate, a vessel less than sixteen feet in length must have on board one Personal Floatation Device (PFD) for each person on board. As used herein, PFD means a United States Coast Guard Approved Type I life preserver, Type II buoyant vest, Type III special purpose water safety buoyant device, or Type V special use water safety buoyant device.

A violation of Rule 8(b), operating or permitting operation of a vessel without a PFD for each person on board, is punishable by a fine of \$75.00.

- (c) No person shall operate, or give permission to operate, a vessel unless the required PFDs are readily accessible, legibly marked with the appropriate USCG number, and are of the appropriate size for the person(s) wearing them or for whom they are intended.

A violation of Rule 8(c), operating, or permitting operation of, a vessel with a PFD not readily accessible, not legibly marked with a USCG number, and/or not being the appropriate size for the person wearing it, is punishable by a fine of \$75.00.

- (d) No person shall allow any child under the age of thirteen (13) to be onboard any vessel unless wearing a Type I, Type II, or Type III Personal Floatation Device, unless in an enclosed cabin.

A violation of Rule 8(d), allowing a child under 13 to be onboard a vessel without wearing a PFD, is punishable by a fine of \$75.00.

- (e) No person shall operate, or give permission to operate, a vessel without an efficient whistle or other mechanical sound producing device.

A violation of Rule 8(e), operating, or giving permission to operate, a vessel without the required sound producing device, is punishable by a fine of \$75.00.

- (f) No person shall operate, or give permission to operate, a vessel that does not require registration without having the owner's name and address written on the vessel in a clearly visible and permanent fashion. This rule 8(e) pertains to vessels such as canoes, kayaks, rowboats, rafts, and similar non-motorized vessels.

A violation of Rule 8(f), operating, giving permission to operate, a vessel without the required owner's information affixed as required, is punishable by fine of \$75.00.

- (g) No person shall operate, or give permission to operate, or offer for rent, a vessel which is overloaded in persons or weight beyond the manufacturers prescribed limits.

A violation of Rule 8(g), operating, permitting operation of, an overloaded vessel, is punishable by a fine of \$75.00.

- (h) It is unlawful to use any floatation device not designed for fishing, in or on any lake, pond, or stream within any Adams County Park, Trail or Open Space area, unless the area is specifically posted to allow such activity.

As such, no person shall use, or allow use of, on waters outside designated areas, any air mattress, inner tube, air inflated devices, rubber rafts or similar inflatables, with less than two (2) separate air chambers.

A violation of Rule 8(h), use of inflatable devices with less than two chambers outside of designated water bodies, is punishable by a fine of \$75.00.

RULE 9. PROJECTILES, WEAPONS, EXPLOSIVES, FIREWORKS

- (a) It is unlawful to discharge on or into any Adams County park, trail, or open space area, projectiles, weapons, firearms, and explosives of any kind (including fireworks), except as expressly mandated by Article 12 of Title 18 of the Colorado Revised Statutes, as amended. See also C.R.S. § 30-15-302 (1).

As such, no person shall discharge on or into any Adams County park, trail, or open space area, any firearm, as defined in CRS 18-1-901(3)(h).

A violation of Rule 9(a), to unlawfully discharged a firearm, is punishable by a fine of \$100.00.

Peace officers on official duty and engaged in official operations are excepted from this Rule 9.

Nothing in this Rule shall be construed to restrict or otherwise affect the constitutional right to bear arms or to defend ones' person, family, or property.

- (b) It is unlawful to use, or allow the use of, or discharge weapons, including, but not limited to, B.B. guns, pellet guns, paintball markers, long bow, cross bows, or other weapons as defined in C.R.S. § 18-1-901 (3)(e)

A violation of Rule 9(b), to use or allow the use of, or to discharge a weapon identified as a B.B. Gun, pellet gun, paintball marker, long bow, cross bow, or other weapon, is punishable by of fine of \$100.00.

- (c) No person shall discharge any type of firework, pyrotechnic, or explosive device.

A violation of Rule 9(c), discharging any type of firework, pyrotechnic, or explosive device, is punishable by a fine of \$100.00.

Exceptions to this Rule may be granted only upon the express authorization of Adams County.

RULE 10. SANITATION / LITTER

- (a) It is unlawful to deposit or dispose of trash, garbage, rubbish, litter, debris, or other objects within any park, trail, or open space area, except that which is generated by legal activities conducted within the Adams County park, trail, or open space area. Trash and debris legally generated within any Adams County park, trail, or open space area must be removed or deposited in a designated trash receptacle. As such, no person shall use trash containers provided for public use to dump household or commercial refuse brought from outside of the areas to which these regulations apply.

A violation of Rule 10(a), depositing household or commercial refuse generated outside of County parks, trails, and open space areas into County trash receptacles, is punishable by a fine of \$75.00.

- (b) No person shall urinate in public or leave human excrement on or in any Adams County park, trail, or open space area lands or waters.

A violation of Rule 10(b), to unlawfully urinate in public or leave human excrement on lands or in waters, is punishable by a fine of \$75.00.

- (c) It is unlawful to clean vehicles/livestock trailers in such a manner as to cause the contents to drain, enter, or remain on Adams County parks, trails, or open space areas, including Riverdale Regional Park.

A violation of Rule 10(c), cleaning a vehicle or livestock trailer in a manner causing the contents to drain onto Adams County Park property, is punishable by a fine of \$75.00.

- (d) It is unlawful to deposit any hazardous material within any Adams County park, trail, or open space area.

A violation of Rule 10(d), depositing any hazardous material within any Adams County park, trail, or open space area, is punishable by a fine of \$300.00.

- (e) No person shall leave, or cause to be left, any fish, fish entrails, wastewater, cans, bottles, plastic or paper cartons, or other litter of any type on any land or in any waters of any Adams County park, trail, or open space area.

A violation of Rule 10(e), leaving, or causing to be left, litter on lands or in waters, is punishable by a fine of \$75.00.

RULE 11. ALCOHOL AND CONTROLLED SUBSTANCES

Possession and consumption of alcoholic beverages is permitted within Adams County parks, trails, and open space areas in compliance with Park Rules & Regulations and Colorado State Law.

- (a) No person under twenty-one (21) years of age shall possess or consume an alcoholic beverage or marijuana or marijuana by-product in any Adams County park, trail, or open space area.

A violation of Rule 11(a), underage possession and/or consumption of alcohol, and/or marijuana, is punishable by a fine of \$150.00.

- (b) No persons shall consume marijuana in a public place in any Adams County park, trail, or open space areas.

A violation of Rule 11(b), public consumption of marijuana, is punishable by a fine of \$150.00.

RULE 12. PROHIBITED CONDUCT ON PUBLIC PROPERTY

- (a) It is unlawful for any person to engage in any conduct or activity within an Adams County park, trail, waters, or open space area, or facility which a person knows, or reasonably should know, will substantially interfere with the use and enjoyment of such places by others, the health, safety, and welfare of users or neighbors nearby, or which may constitute a general nuisance.

As used herein, “general nuisance” means an unreasonable or unlawful use of the area, including but not limited to any noise, action or odor that could substantially interfere with any other person’s lawful use or enjoyment of the area. The use of amplified sound shall constitute a general nuisance under this Rule unless it is made for leased events at the Riverdale Regional Park or consent has been obtained from the Adams County POSCA Department.

A violation of Rule 12(a), engaging in conduct constituting a general nuisance, is punishable by a fine of \$75.00.

RULE 13. ELUDING/INTERFERENCE

- (a) No person shall elude or attempt to elude a uniformed Adams County Park Ranger after having received a visual or audible signal to stop.

A violation of Rule 13(a), eluding, or attempting to elude, a uniformed Adams County Park Ranger, is punishable by a fine of \$150.00

- (b) It is unlawful to interfere or attempt to interfere, with any Adams County Park Ranger, or other Adams County employee, who is acting in the performance of their duties; or to give false or misleading information with the intent to mislead said person in the performance of their duties.

A violation of Rule 13(b), interfering, or attempting to interfere with an Adams County Park Ranger in the performance of his or her duties, or provided false or misleading information, is punishable by a fine of \$150.00.

RULE 14. VEHICLES AND OPDMD’S

- (a) No person shall operate a motor vehicle, including a car, truck, motorcycle, minibike, snowmobile, four-wheel drive, or other recreational vehicle, within any Adams County

park, trail, or open space area, unless the area is specifically designated and posted to permit the operation of such vehicle. Adams County and emergency vehicles on official business may be operated on parks, trails, or open space areas for maintenance, inspection, regulatory, and law enforcement purposes and are excepted from this rule. For exceptions related to disabled access, refer to Rule 14(b)

A violation of Rule 14(a), operating a motor vehicle in a non-designated area, is punishable by a fine of \$150.00.

- (b) Individuals with mobility disabilities are permitted to use wheelchairs and/or manually-powered mobility aids on any trail open to pedestrian use so long as they are used in a safe manner. Individuals with mobility disabilities may use other power-driven mobility devices (“OPDMDs”) on all trails open for pedestrian use unless a trail has been designated as being unsafe for use by OPDMDs based upon the assessment factors found in 28 CFR § 35.137(b)(2). A current list of trails that have been designated as being unsafe for use of OPDMDs shall be kept on the POSCA website.

Use of OPDMDs within any park, trail, or open space area must be in a safe manner and is at the risk of the user. OPDMDs may not be used off trail in any Adams County park, trail, or open space area.

County personnel who have been granted authority to enforce these Rules and Regulations shall have the discretion to temporarily designate additional trail segments or other facilities on Adams County areas as unsafe and as inappropriate for use of certain classes of OPDMDs. This may be based upon current conditions, such as weather, trail conditions, pedestrian traffic volume, and potential harm to the immediate environment or natural resources. OPDMD’s shall not be wider than ½ the width of the designated path.

A violation of Rule 14(b), unsafe or off-trail use of an OPDMD, is punishable by a fine of \$50.00.

- (c) To operate, or allow another to operate, a bicycle, skateboard, scooter, or any other form of non-motorized form of transportation in areas to which these regulations apply in an unsafe or careless manner.

A violation of Rule 14(c), operating a non-motorized form of transportation, in an unsafe or careless manner, is punishable by a fine of \$75.00.

RULE 15. PARKING

NOTE: The enforcement of this Rule 15 may only be done under a separate County Ordinance.

- (a) Vehicles shall not be parked anywhere other than on established roads and parking areas in any Adams County park, trail, or open space area or parking lot.
- (b) Vehicles must be parked only in designated areas in any Adams County park, trail, or open space area or parking lot.
- (c) Vehicles must be parked in compliance with all posted parking signs in any Adams County park, trail, or open space area or parking lot.
- (d) Vehicles may not be parked in a manner that impedes the safe flow of traffic in any Adams County park, trail, or open space area or parking lot.
- (e) Only persons with a disability may park in spaces designated for persons with disabilities in any Adams County park, trail, or open space area or parking lot.

- (f) Vehicles may not be parked, attended or unattended, at an Adams County park, trail, or open space area that is closed, except with permission from the Adams County POSCA Department Director.
- (g) Any motor vehicle parked in any Adams County park, trail, or open space area or parking lot that is closed, or not a designated as a parking area, or in an area designated as a “No Parking” area may be towed at the owner’s expense in accordance with C.R.S. § 42-4-1801, *et. seq.*, and/or any applicable County Ordinance.

RULE 16. POSTING OF SIGNS / ADVERTISEMENTS / FLYERS

- (a) Posting of signs, advertisements and flyers or placement of brochures in Adams County park, trail, or open space areas or on the vehicles or property of others within those areas are prohibited except for community bulletin boards located within the parks and at trailheads.

A violation of Rule 16(a), the prohibited posting of signs, advertisements, flyer, and/or brochures, is punishable by a fine of \$50.00.

RULE 17. COMMERCIAL ACTIVITY

- (a) It is unlawful for any person, acting individually or on behalf of a business or organization, to charge a fee for any commercial activity or concession, or to provide any service, product, or activity for which a fee is charged in any Adams County park, trail, or open space area or facility, unless a valid Adams County Vendor Permit has been issued for that purpose by the Adams County POSCA Department.

Individuals engaging in still camera photography, nonprofit tax-exempt entities, and anyone acting pursuant to the terms of an agreement with Adams County are exempt from this Rule.

A violation of Rule 17(a), having unlawfully charged a fee for any commercial activity or concession in any Adams County park, trail, open space area, or facility, is punishable by a fine of \$300.00.

RULE 18. RESEARCH PROJECTS

- (a) All research projects to be conducted within any Adams County park, trail, or open space area must be reviewed and approved by the Adams County POSCA Department Director before they are commenced.

A violation of Rule 18(a), the carrying out of an unauthorized research project, will result in a directive to cease until a review can be conducted and authorization granted. A refusal to cease upon directive is punishable by a fine of \$75.00.

RULE 19. SPECIAL USE PERMITS

- (a) Special use permits are required for any group of 25 or more at any Adams County park, trail, or open space area. Requests must include the dates and time of use, trails, or areas to be used, and other details of the use. If, in the opinion of the Adams County POSCA Department Director, the activity will cause significant impact to the natural environment or will require significant departmental resources, the county may impose a fee that

includes the costs expected to be incurred by the department or deny permission for the activity.

A violation of Rule 19(a), participating or conducting activities for which a Special Use Permit is required without holding such Permit, is punishable by a fine of \$100.00.

RULE 20. DRONES/SMALL UNMANNED AIRCRAFT

The Federal Aviation Administration (FAA) governs the use of public and civilian Unmanned Aircraft Systems (UAS) operations. Operating a UAS (drone or small model plane) on Adams County Property is only permitted in accordance with these Rules and Regulations.

At all times, operators must abide by all State and Federal regulations regarding operating UAS as well as strictly adhering to all procedural requirements for areas managed by the Adams County Parks, Open Space and Cultural Arts Department. It is the responsibility of the user to inform themselves of all requirements and regulations prior to operating a UAS at any Adams County location.

- (a) It is unlawful to take-off, land, or remotely control any unmanned aircraft system (drone) on an Adams County Park, trail or open space area unless permitted by the Adams County POSCA Department Director.

A violation of Rule 20(a), unpermitted use and control of any unmanned aircraft system, on the areas to which these Rules apply, is punishable by a fine of \$50.00.

- (b) Drop-In Operation. A location has been designated for drop-in operation on properties managed by Adams County Parks, Open Space and Cultural Arts Department at Riverdale Regional Park on the gravel parking area located directly north of the Adams County Museum on the west side of Park Blvd.
 - i. This area will be available for drop in use during park hours unless otherwise designated and UAS operations are limited to the space directly above this parking lot. A permit will not be required to operate a UAS in this designated area.
 - ii. This area will not be available for use for UAS operation when it is being utilized for permitted special events, county sponsored events, and/or the Adams County Fair. During these events, the area will be posted with appropriate notices, and notifications will be posted on the county website

A violation of Rule 20(b), unpermitted use of a non-commercial, public, and civilian Unmanned Aircraft System, on the areas to which these Rules apply, is punishable by a fine of \$75.00.

- (c) Permitted Commercial Operation. Commercial operation of a UAS on Adams County property is authorized through a permitting process for commercial use such as filming or photography for marketing or research projects. Permits can be obtained through the Parks Administration Office for POSCA Director approval.
 - i. Applicants must submit the proper forms and request all appropriate permits.
 - ii. Operating times and locations for each permitted use will be reviewed as part of the application process. Applications may be denied, or a request may be made to amend times and locations due to resource, wildlife, or public safety concerns.

A violation of Rule 20(c), unpermitted use of a commercial Unmanned Aircraft System, on the areas to which these Rules apply, is punishable by a fine of \$150.00.

- (d) No person shall control an unmanned aircraft system in a manner which may endanger, harass, harm, or injure any person, companion animal, livestock, or wildlife on Adams County park, trail, or open space area.

A violation of Rule 20(d), controlling an unmanned aircraft system in a manner which may endanger, harass, harm, or injure, on the areas to which these Rules apply, is punishable by a fine of \$50.00.

RULE 21. OTHER PROHIBITED ACTIVITIES

- (a) Except for emergency landings, it is unlawful to take off, operate, or land with any motorized or non-motorized aircraft within Adams County park, trail, or open space area. "Aircraft" includes but is not limited to; airplanes, helicopters, ultralights, gliders/sailplanes, and hot-air balloons except as permitted by an agreement with Adams County.

A violation of Rule 20(a), to unlawfully operate, and/or land any motorized or non-motorized aircraft within an Adams County park, trail, or open space area, is punishable by a fine of \$300.00.

- (b) Special regulations may apply to buildings open to the public on Adams County park, trail, or open space areas. These regulations shall be approved by the County. Such regulations will be posted on site.

A violation of Rule 20(b), failure to abide by special regulations application to Adams County buildings open to the public, is punishable by a fine of \$50.00.

- (c) It is unlawful to golf, or to use remote-controlled land, water, airborne, or similar devices at any Adams County park, trail, or open space area unless the activity is permitted by an agreement with Adams County or authorized by the Director of POSCA and so posted in a conspicuous manner.

A violation of Rule 20(c), unauthorized use of a remote-controlled device, or golfing within any Adams County park, trail, or open space area outside of a permitted agreement with Adams County, is punishable by a fine of \$50.00.

ARTICLE II. EXCEPTIONS TO THE RULES AND REGULATIONS

Exceptions to these Rules and Regulations as amended, re-enacted, or re-adopted, may be granted by the Adams County POSCA Department Director for activities that involve the management of Adams County parks, trails, or open space areas, provided the activities are undertaken or overseen by department staff, or as provided in the terms of a lease or other agreement.

ARTICLE III. ENFORCEMENT

1. Pursuant to §§ 29-7-101(2) and (3), C.R.S. et seq., as amended, it is the duty of the Adams County Sheriff, undersheriff, and deputies, as well as any county enforcement personnel authorized and appointed pursuant to those sections, to enforce the rules and

regulations adopted herein; and the county courts of Adams County, Colorado, have jurisdiction in the prosecution of any violation of a rule or regulation adopted herein.

2. Pursuant to §§ 29-7-101 (2) and (3), the Board hereby vests specific enforcement authority in personnel designated as Adams County Park Rangers and those individuals so vested shall have the authority and responsibility to enforce the Rules and Regulations adopted herein for Adams County park, trail, and open space areas by issuance of citations or summons and complaints.
3. Any person who violates any of these Rules and Regulations may be ejected from Adams County parks, trails, and open space areas.
4. These Rules and Regulations are in addition to, and not in place of, all other existing laws, ordinances, rules, and regulations. Nothing in these Rules and Regulations shall be construed to limit the authority of any law enforcement officer to charge an individual for violating the provisions of C.R.S. § 18-9-117 (or any successor statute) related to unlawful conduct on public property. Law enforcement officers retain their authority to enforce local, state, and federal laws within Adam County park, trail, and open space areas.

ARTICLE IV. PENALTIES

1. (a) Violations of Rule 15 (Parking) of the Rule and Regulation adopted herein shall be charged and punishable pursuant to a separate County Ordinance.
(b) Violation of any other Rule or Regulation adopted herein shall be a Class 2 Petty Offense as provided for in C.R.S. § 29-7-101(2), as amended, and upon conviction thereof, shall be punished by a fine of not more than three hundred dollars, or as otherwise provided by law.
2. As authorized by C.R.S § 29-7-101(2), the Penalty Assessment procedure provided in C.R.S. § 16-2-201 may be followed by any arresting law enforcement officer or Adams County Park Ranger for any violation of any Rule or Regulation adopted herein.
3. Any person having the authority and responsibility to enforce these Rules and Regulations and having knowledge of any violation of the Rules and Regulations stated herein may issue a citation or summons and complaint to the violator stating the nature of the violation with sufficient particularity to give notice of said charge to the violator.
4. Unless otherwise provided for through the Penalty Assessment Procedure, all fines, penalties, and surcharges shall be paid into the treasury of Adams County. Court costs, if any, shall be paid directly to the Clerk of the Court by each defendant.
5. In addition to any penalty prescribed by law, any violation of any of the Rules and Regulations herein by any person may subject that person to immediate ejection from the Adams County parks, trails, and open space areas and facilities.

ARTICLE V. COPY OF RULES AND REGULATIONS

The POSCA Department shall make available for inspection to the public a current copy of the existing rules and regulations relating to Adams County parks, trails, and open space areas.

ARTICLE VI. INTERPRETATION OF RULES AND REGULATIONS

1. It is hereby declared to be the legislative intent of the Board of County Commissioners of Adams County, Colorado, that the provisions of these Rules and Regulations shall be severable, in accordance with the provisions set forth as follows: If any provision of these Rules and Regulations are ruled to be invalid by any court of competent jurisdiction,
 - (a) The effect of such judgment shall be limited to that specific provision or provisions which are expressly stated in the judgment to be invalid; and,
 - (b) Such judgment shall not affect, impair, or nullify the validity of application of the remainder of these Rules and Regulations as a whole or any other part thereof, and the rest of these Rules and Regulations shall continue in full force and effect.
2. The enactment of these Rules and Regulations shall not be construed as abating any action now pending under or by virtue of prior provisions, or discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, or as waiving any right of the county under any provision existing prior to the adoption of these Rules and Regulations, or as vacating or annulling any rights obtained by any person by lawful action of the county except as is expressly provided for herein.