

EXHIBIT A to Ordinance 2380

Strikethrough text indicates deletions; underlined text indicated additions.

Sec. 11-2100. Motorized devices on public property.

- (a) *Definitions.* For purposes of this section, the following words shall have the meaning ascribed to them herein:

All-terrain vehicle or *ATV* means a motorized flotation-tired vehicle riding on ~~four (4)~~ no less than three (3) but no more than six (6) low-pressure tires having an engine displacement of at least one hundred (100) but less than ~~eight one thousand two-hundred (8001200)~~ eight one thousand two-hundred (8001200) cubic centimeters, and total dry weight of less than ~~six one thousand two hundred (6001200)~~ six one thousand two hundred (6001200) pounds.

Motorized device means any mechanism intended for the transport of one (1) or more persons that is operated by means other than human or animal power, such mechanism not meeting the lighting, engine capacity, and/or safety feature requirements for licensing as a motor vehicle in the State of Colorado.

Public property means all lands, sidewalks, trails, parking lots or other properties owned, leased or otherwise operated by the city, excluding streets and highways.

- (b) *Prohibition.* It shall be unlawful for any person to operate a motorized device upon any public property unless the public property has been specifically designated for such use.

- (c) *Exemptions.* Exempt from the prohibition of this section are the following:

- (1) Motorized devices that are designed, intended, and being used for the conveyance of a disabled person.
- (2) Golf carts operated within the confines, or on public property within one (1) mile, of the Buffalo Run Golf Course.
- (3) Any motorized device authorized by the city manager.
- (4) ATVs operated on a public sidewalk for the limited purpose of snow removal, provided the following requirements are met:
 - a. The landowner adjacent to the sidewalk on which the ATV is operated has granted permission;
 - b. A snow removal device is attached to the ATV;
 - c. The operator of the ATV is sixteen (16) years of age or older;
 - d. There is one (1) or more illuminated yellow lights, which are flashing or rotating and visible for three hundred sixty (360) degrees, displayed on the ATV;
 - e. The engine displacement of the ATV is no more than eight hundred (800) cubic centimeters and the ATV total dry weight is less than six hundred (600) pounds;
 - ~~ef.~~ The ATV's headlights are on at all times and not obstructed by the attached snow removal device;
 - ~~gf.~~ The operator is actively engaging in snow removal on the property and not exceeding a speed of five (5) miles per hour; and
 - ~~hg.~~ The operator of the ATV yields the right-of-way to any pedestrian, bicyclist, or motor vehicle approaching on the street, sidewalk, or alley.

- (d) *Impoundment.* Any ~~police~~peace officer observing a violation of this section may stop the operator of the motorized device and, in addition to issuing the operator thereof a summons and complaint, may impound the motorized device as evidence for use in any court proceeding.