TOWN OF FREDERICK, COLORADO
ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF FREDERICK, COLORADO, REPEALING AND RE-ENACTING CHAPTER 8, ARTICLE III, SECTIONS 8-42(a)(1) AND 8-42(b)(1), OF THE FREDERICK MUNICIPAL CODE, ENTITLED "RECREATIONAL VEHICLES, UTILITY TRAILERS," AND REPEALING AND RE-ENACTING CHAPTER 10, ARTICLE XII, SECTIONS 10-248(a).

WHEREAS, the Board of Trustees finds that it is appropriate and necessary to repeal and re-enact provisions of the Frederick Municipal Code limiting the lawful parking time period for recreational vehicles and utility trailers; and

WHEREAS, the Board of Trustees finds that it is appropriate and necessary to repeal and re-enact provisions of the Frederick Municipal Code at Sections 8-42 and 10-248 related to the definition of "recreational vehicles;" and

WHEREAS, the Board finds that the enactment of this ordinance is in the best interest of the health, safety and welfare of the citizens of the town.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF FREDERICK, COLORADO, AS FOLLOWS:

Section 1. Chapter 8, Article III, Section 8-42(b)(1) of the Frederick Municipal Code is hereby re-pealed and re-enacted to read as follows:

Sec. 8-42. Recreational vehicles, utility trailers.

(a) Recreational vehicles, utility trailers defined.

(1) *Recreational vehicle*, as used in this section, is defined as any vehicle which may be used for recreation or personal purposes and shall include, but not be limited to, a boat, motor home, camper trailer, detached camper or detached trailer of any design, whether commercially manufactured or homemade. *Recreational vehicle* includes any trailer used to transport any recreational vehicle(s).

Section 2. Chapter 8, Article III, Section 8-42(b)(1) of the Frederick Municipal Code is hereby re-pealed and re-enacted to read as follows:

Sec. 8-42. Recreational vehicles, utility trailers.

(b) Prohibitions.

(1) As the owner or operator of any recreational vehicle or utility trailer, it is unlawful to park any such vehicle on any public right-of-way, including any street, alley or public parking lot except during the loading or unloading of such vehicle, when such loading or unloading is completed within seventy two hours of such parking. A

recreational vehicle may be parked in a public parking lot or private parking lot when such parking is in conjunction with personal or official business at the location of the parking, but in no event shall such parking extend longer than twelve hours.

Section 3. Chapter 10, Article VII, Section 10-248(a) of the Frederick Municipal Code is hereby re-pealed and re-enacted to read as follows:

Sec. 10-248. Recreational vehicles.

(a) Defined. As used in this section, *recreational vehicle* means a self-propelled wheeled or tracked vehicle primarily designed to be operated for recreational purposes on land, or on land and water, other than roads or highways. This definition shall include but is not limited to motorbikes, motor scooters, mopeds, motor bicycles, trail bikes, tote-goats, dune buggies, go-carts, snowmobiles, and all terrain vehicles ("ATV's"). *Recreational vehicle* does not include any self-propelled wheeled or tracked vehicle that is equipped with all required safety equipment and is licensed by the State of Colorado.

Section 4. **Effective Date.** This ordinance shall be published and become effective as provided by law.

Section 5. **Severability.** If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the ordinance. The Town Board hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more parts, sections, subsections, sentence, clauses or phrases are declared invalid.

Section 6: Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED THIS ____ day of _____, 2010.

TOWN OF FREDERICK

By:_____
Eric E. Doering, Mayor

ATTEST:

By_____
Nanette S. Fornof, Town Clerk