

ORDINANCE NO. 1
Series 2010

AN ORDINANCE OF THE TOWN OF PITKIN, COLORADO, REGARDING
UNLAWFUL CAMPING WITHIN THE TOWN OF PITKIN, COLORADO

WHEREAS, Colorado Revised Statutes (2009), Section 31-15-101, et seq., authorizes a municipality to enact regulations that promote the health, safety and welfare, and improve order, comfort, and convenience of the municipality and inhabitants thereof; and

WHEREAS, Colorado Revised Statutes, Sections 31-15-101(d) and 31-15-708, authorize a municipality to own and regulate the use of real property; and

WHEREAS, The Town of Pitkin recognizes that its streets and public areas within the Town of Pitkin need to be readily accessible and available to residents and the public at large. The use of these areas for camping purposes interferes with the rights of other to use these areas for which they were intended. Such activity can also constitute a public health and safety hazard which adversely impacts other members of the public, neighborhoods and commercial areas. The unauthorized or inappropriate use of outdoor cooking equipment, open flame, fires or stoves of any sort typically associated with camping creates a major fire threat to life, safety and property, including public and private property, open lands, and hillsides.

WHEREAS, the Town of Pitkin intends to prohibit camping on the streets and public areas within the Town of Pitkin, and to prescribe penalties for unlawful camping.

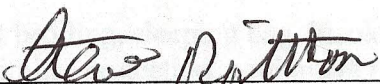
NOW, THEREFORE, be it ordained by the Board of Trustees of the Town of Pitkin, Colorado, as follows:

1. **“Camp” or “Camping” Defined.** Camp or camping means to do any of the following:
 - a. To sleep at any time between the hours of 9:00 p.m. and 8:30 a.m. in any of the following places:
 - i. Outdoors, with or without bedding, sleeping bag, blanket, mattress, tent, hammock, or other similar protection, equipment or device;
 - ii. In, on, or under any structure or thing not intended for human occupancy, whether with or without bedding, sleeping bag, blanket, mattress, tent, hammock, or other similar protection, equipment or device;

- iii. In, on, or under any camping structure, including but not limited to, tents, trailers, campers, recreational vehicles, or other forms of temporary shelter.
 - b. To establish or maintain, outdoors or in, a temporary or permanent place for sleeping by setting up any trailer, camper, recreational vehicle, tent, etc., or other sleeping equipment or device in such a manner as to be useable for sleeping purposes.
 - c. To establish or maintain, outdoors or in, at any time during the day or night, a temporary or permanent place for cooking, eating, or sitting, with the intent to remain in that location overnight.
2. **“Camping Gear” Defined.** Camping gear includes, but is not limited to, bedding, lanterns, stoves or other cooking facilities, coolers, chairs, etc.
3. **Camping Prohibited.** No person or group of persons, may camp, occupy camping structures or devices, or use camping gear on any public property within the Town of Pitkin, improved or unimproved, including, but not limited to, public streets and sidewalks, parks, open space, and other property.
4. **Enforcement.** Any person or group of persons violating this Ordinance are subject to having their vehicle, trailer, camper, or recreational vehicle towed. Violators will be required to pay for the costs of towing and storage, if any, of their vehicle, trailer, camper or recreational vehicle.


A fine may also be imposed against each individual violating this ordinance in the amount of \$250.00. The fine imposed may be paid to the Town Clerk of the Town of Pitkin, Colorado, in lieu of further proceedings or defense of such violation in court. In the event the fine is not paid by the date set forth in the notice, the matter may be referred by the Town of Pitkin to a municipal court forum for further proceedings in accordance with Municipal Court Rules of Procedure.

READ, ADOPTED AND ORDERED PUBLISHED THIS 8TH ~~13TH~~ DAY OF June APRIL, 2010.



Steve Pinkston, Mayor

(SEAL)
ATTEST:



Nancy Duetsch, Town Clerk