

ORDINANCE NO. 3
Series 2013

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 31-25-101(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 camping on improved private property with an inhabitable dwelling within the Town of Pitkin may 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 regulate camping on improved private property with inhabitable dwelling 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:

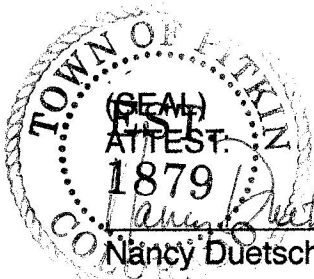
- a. To sleep at any time between the hours of 9:00 p.m. and 8:30 a.m. in any of the following places:
 - i. Outdoors, with or without bedding, sleeping bag, blanket, mattress, tent, hammock, or other similar protection, equipment or device;
 - ii. In, on, or under any structure or thing not intended 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.
 - iv. The definition of “Camp” or “Camping” does not include staying overnight on private property during construction of a residence with a valid special use permit.

- 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 in Excess of 30 Days Quarterly or 40 Days Consecutively.** No property owner may allow a person or group of persons to camp, occupy camping structures or devices or use camping gear more that 30 days in any quarter of the year on any improved private property with an inhabitable dwelling within the Town of Pitkin. The four quarters of the year are defined as follows: First Quarter: January 1 to March 31; Second Quarter: April 1 to June 30; Third Quarter: July 1 to September 30; and Fourth Quarter: October 1 to December 31. No property owner may allow a person or group of persons to camp, occupy camping structures or devices, or use camping gear more than 40 consecutive days on any improved private property with an inhabitable dwelling within the Town of Pitkin.
4. **Waste Disposal.** Property owner must be responsible for the proper disposal of their campers' waste.
5. **Enforcement.** Violators will be required to pay for the costs of towing and storage, if any, of the 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 11, DAY OF JUNE, 2013.


Steve Pinkston, Mayor




Nancy Duetsch, Town Clerk