

TOWN OF MONUMENT
ORDINANCE NO. 08-2017

AN ORDINANCE AMENDING SECTION 12.28 OF MONUMENT MUNICIPAL
CODE RELATIVE TO PARK AND RECREATION AREAS

WHEREAS, The Board of Trustees has determined that it is reasonable and desirable to amend Chapter 12.28 of Monument Municipal Code revising section 120; regulations relative to Monument Lake.

NOW THEREFORE, IT IS ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF MONUMENT AS FOLLOWS:

Chapter 12.28 is hereby amended to read:

Section:

12.28.120: Monument Lake rules and regulations.

A. Posting of Rules. The following rules of conduct relative to Monument Lake are posted at Monument Lake:

MONUMENT LAKE RULES

1. Lake operating hours shall be from 5 a.m. to 11 p.m. daily.
2. Use Lake at Own Risk.
3. No Swimming or wading.
4. Any person 16 years of age or older is required to have a valid fishing license when fishing on the lake. (Colorado Parks and Wildlife enforces all fishing regulations.)
5. It is unlawful to fish from the dam structure and closed areas.
6. All camping is prohibited.
7. All campfires of any nature on any lands including all shoreline areas of the lake are prohibited.
8. The use of grills or other cooking devices are prohibited; with the exception of grills/cooking devices established in designated areas.
9. No drugs or alcohol are permitted at the lake; with the exception of a Special Event Liquor Permit which can be obtained through the Town of Monument Clerk's office under the Special Event Liquor Permit rules and regulations.
10. No littering.
11. All pets must be kept on a leash and under control at all times; pet owners must clean up after their pets.
12. Motorized vehicles, including automobiles and motorcycles must be licensed and remain on designated roadways.

13. All boats must be launched from the designated boat launch area with the exception of inflatable crafts, canvas boats, canoes and other portable craft which can be launched from the shore.
14. Vehicles are not allowed to park on the shoreline, except during loading and unloading in designated loading area(s) only.
15. Parking will be limited to designated parking spots only. Overflow parking is available at the corner of 2nd Street and Mitchell Avenue.
16. Boaters must observe Colorado Boating Statutes and Regulations established by Colorado Parks and Wildlife in its entirety.
 - a. C.R.S. § 33-13-108: Prohibited vessel operations. No person shall operate a personal watercraft between one half hour after sunset and one half hour before sunrise.
 - b. C.R.S. § 33-13-108.1: It is a misdemeanor for any person to operate or be in actual physical control of a vessel in this state while:
 - (I) Under the influence of alcohol;
 - (II) Under the influence of any controlled substance as defined in section 12-22-303, C.R.S., or any other drug that renders the person incapable of safely operating a vessel.
 - c. All watercraft must be in compliance with Regulation #212 regarding Personal Floatation Devices (PFDs).
 - d. Any person who violates any provisions of these Statutes and Regulations shall be subject to the penalties set forth in Title 33, Colorado Revised Statutes, as amended.
17. Boats with electric trolling motors are allowed to operate on Monument Lake. Gas and diesel motors are prohibited.
18. While boating, you may encounter unmarked shallow areas and submerged obstacles. Be observant and use caution while boating. The Town of Monument is not responsible for any damages to watercraft or personal property.
19. The Town reserves the right to prohibit the use of this facility by anyone who abuses the lake or interferes with the rights of others.
20. The Town reserves the right to close the lake at any time in its sole discretion.
21. The Town of Monument does not monitor ice thickness, entry onto ice covered portions of the lake is at own risk. Any proposed special event will require a permit obtained through the Town of Monument Clerk's Office.
22. Any Commercial Use (for profit activities) of the Lake will require a Lake Use Permit, and a Business License which can be obtained through the Town of Monument Clerk's office see Title 5 of Monument Town Code.
 - a. A non-negotiable, non-refundable annual Lake Use Permit fee of \$250.00 must be submitted.
 - b. The fees associated with these requirements are waived for any Non-Profit group holding a 501(c)3 designation under the IRS code.
 - c. Any Mobile Vendor in addition will require a Temporary Use Permit see 17.48.210 Town Code. Mobile Vendors are also required to pack out their own trash.

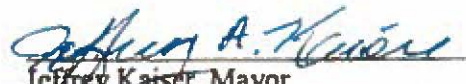
d. A Certificate of Liability Insurance with the Town of Monument named as additionally insured is required in the amounts of \$1,000,000 per incident and \$2,000,000 aggregate and will be provided to the Town before commercial use of the lake.

B. Enforcement. The rules may be enforced by the municipal court of the Town of Monument which shall have the authority to impose punishment pursuant to the then effective law of the state regarding the range of punishments which may be imposed by a municipal court of the state.


Effective Date: This Ordinance shall be in full force and effect from and after its publication as required by law.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF MONUMENT, THIS ORDINANCE WAS INTRODUCED, PASSED, APPROVED AND ADOPTED on this 20th day of March, 2017, by a vote of 6 for and 0 against.

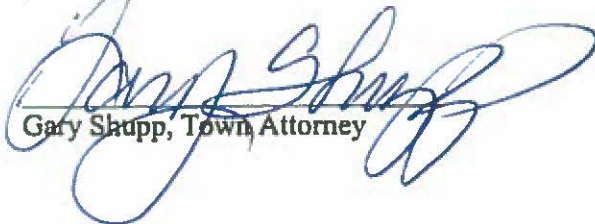
TOWN OF MONUMENT


Jeffrey Kaiser, Mayor

ATTEST:


Laura Hogan, Deputy Clerk, CMC

APPROVED AS TO FORM:


Gary Shupp, Town Attorney