

AS APPROVED ON FIRST READING – MARCH 14, 2017

Additions To The Current Breckenridge Town Code Are Indicated By **Bold + Double Underline**; Deletions By ~~Strikeout~~

COUNCIL BILL NO. 9

Series 2017

AN ORDINANCE PROHIBITING THE OPERATION OF ELECTRICAL ASSISTED BICYCLES ON ALL TOWN-OWNED RECREATIONAL PATHS

WHEREAS, the Town Council finds and determines that it should prohibit the operation of an electrical assisted bicycle on all Town-owned recreational paths.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE, COLORADO:

Section 1. Section 11-2-4-1 of the Breckenridge Town Code, entitled “Use of Electrical Assisted Bicycle on Bike Path”, is repealed.

**THE DELETED TEXT IS:**

**11-2-4-1: USE OF ELECTRICAL ASSISTED BICYCLE ON BIKE PATH:**

Notwithstanding section 11-2-4 of this chapter, it is lawful for a person to use the electrical motor on an electrical assisted bicycle that is being operated on the recreational pathway commonly known as the “bike path” within the corporate limits of the town. For the purposes of this section, an “electrical assisted bicycle” has the meaning provided in the town's traffic code.

Section 2. The definition of “Motorized Vehicle” in Section 11-2-1 of the Breckenridge Town Code is amended to read as follows:

MOTORIZED VEHICLE: Any self-propelled vehicle which is designed to transport persons or property, including, but not limited to, an automobile, truck, motorcycle, ~~motorized bicycle~~ **electrical assisted bicycle**, or snowmobile.

Section 3. Section 11-2-4 of the Breckenridge Town Code is amended to read as follows:

11-2-4: MOTORIZED VEHICLES PROHIBITED:

It shall be unlawful for any person to operate a motorized vehicle anywhere within a town park, except within those areas designated as parking areas. This section shall not apply ~~to:~~ **(i) a motorized wheelchair or other similar device operated by or for a disabled person, or (ii) an authorized maintenance or emergency vehicle, or (iii) the operation of a snowmobile on the recreational pathway commonly known as the “bike path.”**

Section 4. Subsection (15) of that portion of the Section 7-1-2 of the Breckenridge Town Code pertaining to Section 1412 of the Town’s Traffic Code is amended to read as follows:

(15) ~~Except as authorized by section 42-4-111, C.R.S., the rider of an electrical assisted bicycle shall not use the electrical motor on a bike or pedestrian path. It is an infraction for a person to operate an electrical assisted bicycle on any town-owned recreational path within the corporate limits of the town.~~

**As used in this subsection (15):**

- (A) “town-owned recreational path” includes both the approximately 3.6 miles of the recreational path commonly known as the “Blue River bike path” lying within the corporate limits of the Town, as well as all other Town-owned and maintained recreational paths; and**  
**(B) “recreational path” means a trail owned and maintained by the Town that is used for such recreational purposes as may be authorized by the Town, including, without limitation, bicycling, hiking, running,**

**snowshoeing, cross-country skiing, and other similar recreational activities. A public street is not a recreational path.**

**This section does not apply to the use of a electrical assisted bicycle on a town-owned recreational path by a person with a disability, if such use is authorized by applicable state or federal law.**

Section 5. Except as specifically amended hereby, the Breckenridge Town Code, and the various secondary codes adopted by reference therein, shall continue in full force and effect.

Section 6. The Town Council hereby finds, determines, and declares that this ordinance is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the order, comfort and convenience of the Town of Breckenridge and the inhabitants thereof.

Section 7. This ordinance shall be published and become effective as provided by Section 5.9 of the Breckenridge Town Charter.

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL this 14<sup>th</sup> day of March, 2017. A Public Hearing shall be held at the regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 28th day of March, 2017, at 7:00 P.M., or as soon thereafter as possible in the Municipal Building of the Town.

TOWN OF BRECKENRIDGE, a Colorado  
municipal corporation

By \_\_\_\_\_/s/\_\_\_\_\_  
Eric S. Mamula, Mayor

ATTEST:

\_\_\_\_\_/s/\_\_\_\_\_  
Helen Cospolich, CMC,  
Town Clerk