

**Ordinance of the Board of Trustees
Of the Town of Norwood Authorizing
The Use of "Off-Highway Vehicles" OHVs on the
Streets & Alleys of the Town of Norwood.**

Ordinance 0708 Series 2009

WHEREAS, pursuant to C.R.S. Title 33, Article 14.5-110, municipalities are authorized to establish, by ordinance to permit the operation of unlicensed off-highway vehicles ("OHV") on the streets & alleys in the Town of Norwood.

WHEREAS, in 1989, the General Assembly of the State of Colorado established by statute a program for registration of OHVs and provide rules and regulations governing the operation of OHVs; and

WHEREAS, the Town of Norwood Board of Trustees believes that authorizing OHV use on the town streets & alleys can be undertaken in a safe and prudent manner; and

WHEREAS, "off-highway vehicle" is defined in C.R.S. § 33-14.5-101(3) as any self-propelled vehicle which is designated to travel on wheels or tracks in contact with the ground, which is primarily for use off of the public highways, and which is generally and commonly used to transport persons for recreational purposes. "Off-highway vehicle" does not include the following:

- Vehicles designed and used primarily for travel on, over, or in water;
- Snowmobiles;
- Military vehicles;
- Golf carts;
- Vehicles designed and used to carry disabled persons;
- Vehicles designed and used specifically for agricultural, logging, or mining purposes; or
- Vehicles registered with the Colorado Department of Revenue, Motor Vehicle Division;

And

WHEREAS, the Town Board of Trustees finds this ordinance to be in the best interest of the public health, safety, welfare, and convenience;

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF NORWOOD, COLORADO, AS FOLLOWS:

1. Persons operating OHVs within the Town of Norwood on the streets & alleys shall comply with all legal requirements of C.R.S. § 33-14.5-101 through 112, as amended.
2. Off-highway vehicles which are registered and/or operated pursuant to C.R.S. § 33-14.5-101 through 112, as amended are hereby permitted to operate on the Town of Norwood Streets & alleys with the **exception of Grand Avenue, which is a State Highway.**
3. Operation of OHVs on the streets & alleys of the Town of Norwood, shall be in accordance with this Ordinance and with the provisions of C.R.S. § 33-14.5-101 through 112, as amended, which are controlling and incorporated herein by reference, specifically including, but without limitation, the following:
 - A. Persons operating an OHV on designated Town of Norwood streets & alleys shall be in possession of a valid motor vehicle operator's license (driver's license) issued by the State of Colorado, or by any other state .

B. Persons operating an OHV on designated Town of Norwood streets and alleys shall be in possession of valid liability insurance coverage required to operate a motor vehicle in Colorado.

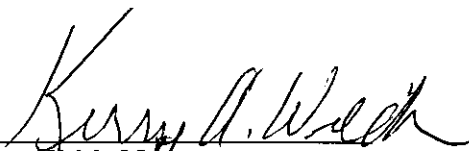
C. OHVs operating on the streets & alleys of the Town of Norwood shall have at all times the safety equipment required such as lighted head lamp, lighted tail light, brakes, muffler and spark arrester as stated in C.R.S. § 33-14.5-109

D. Any operator of an OHV will not travel at a speed in excess of 10 mph at any time, upon any street or alley in the Town of Norwood.


In addition, operation of OHVs on the Town of Norwood streets & alleys shall comply in accordance with all rules of the road and traffic laws and regulations.

4. The Norwood Town Board of Trustees reserves the right, from time to time, to review the provisions of this Ordinance and amend it as deemed necessary.
5. It is expressly understood that the designation of the town streets & alleys for the use of OHV travel does not preempt or preclude the use of such streets or alleys for any other lawful and permitted uses
6. The use permitted by this Ordinance is strictly limited to the terms and provisions hereof. This Ordinance does not authorize or designate the use of OHVs on Grand Avenue or on lands, roads, or trails under the jurisdiction of County, State, or Federal agencies.
7. This Ordinance shall be enforced by the Town of Norwood Marshal's Department and authorized personnel. Any violation or abuse of this Ordinance will result in a summons to the Norwood Municipal Court with a penalty of not less than \$50.00 for the first offense, and possible impounding of the vehicle. Each subsequent offense thereafter will be assessed an additional \$50.00 (example: 1st offense \$50.00, 2nd offense \$100.00, 3rd violation \$150.00). This Ordinance shall be enforced by the Town of Norwood Marshal's Department and authorized personnel.

PASSED, APPROVED, AND ADOPTED this twelfth day of August, 2009.


Kerry Welch, Mayor
Town of Norwood

ATTEST:


Gretchen Wells, Town Clerk