

Resolution No. R-013-153

**THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF DOUGLAS, COLORADO**

**RESOLUTION CONCERNING THE USE OF DOUGLAS COUNTY OWNED OR  
OPERATED BUILDINGS, FACILITIES, PARKS, TRAILS AND OPEN SPACE**

*WHEREAS*, the Board of County Commissioners of the County of Douglas, State of Colorado (the "Board"), has the authority pursuant to §§ 18-9-117, 29-7-101(2), 29-7-101(2), and 30-11-107(1)(a), C.R.S., to adopt rules and regulations for the regulation and control of County lands and facilities; and

*WHEREAS*, the Board has previously adopted Resolutions R-003-075, R-004-117 and R-005-128 pertaining to Douglas County Facilities and Resolution No. R-005-033 pertaining to Douglas County Parks, Trails and Open Space ("Prior Resolutions"); and

*WHEREAS*, the Board desires to consolidate, update and simplify said Prior Resolutions by adopting a new Resolution and repealing said Prior Resolutions; and

**NOW THEREFORE, BE IT RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS, STATE OF COLORADO**, that the following rules and regulations shall apply to the buildings, facilities, parks, trails and open space under the authority of Douglas County.

**SECTION 1: GENERAL**

**1.1 Definitions**

The following words shall have the following definitions for purposes of these rules and regulations:

Alcohol Beverage has the meaning as set forth in § 12-47-103(2), C.R.S.

County Facility means every building, arena, field, structure, and other area that is part of or located upon lands owned, leased, or operated by Douglas County, excepting Bingham Lake which is controlled by a separate lease agreement.

Firearm has the same meaning set forth in § 12-26-101, C.R.S., and specifically includes B-B guns, pellet guns, paint ball guns, and air guns.

Park means all public recreation lands and all trails, waters, buildings, structures, roads, parking lots and facilities located on such lands owned or operated by Douglas County that are managed or administered by the Douglas County Division of Parks and Trails.

Open Space means: (a) any land that Douglas County owns in fee, designated by the Board of County Commissioners as open space; (b) any land or interest in land that Douglas County holds through conservation easements under §§ 38-30.5-101, *et seq.*, C.R.S., if the conservation easement authorizes, permits, or allows public access or use of such lands or interests in land; and other lands owned or operated by Douglas County that are managed or administered by the Douglas County Division of Open Space and Natural Resources; and (c) all trails, waters, buildings, structures, roads, parking lots or facilities located on such lands.

Law Enforcement Officers means the Sheriff, Undersheriff, and his or her deputies.

Park Ranger means an employee of Douglas County, authorized by the Board of County Commissioners to enforce the rules and regulations on Park and Open Space.

Smoking means the burning of a lighted cigarette, cigar, pipe, or any other matter or substance that contains tobacco or marijuana, as set forth in § 25-14-203(16), C.R.S.

**1.2 Purpose.** The purpose of these rules and regulations is to promote public safety at County Facilities and to create a relaxed environment at County buildings, facilities, parks, trails and open space.

**1.3 Scope.** These rules and regulations shall apply to all County Facilities, Parks and Open Space as defined herein. These rules and regulations shall in no way limit application and enforcement of any Resolution, Ordinance, or lawful order of Douglas County or the statutes of the State of Colorado, but shall be in addition thereto.

**1.4 Relation to State Firearms Laws.** These rules and regulations do not authorize anything that is prohibited by state firearms statutes, nor do they prohibit anything that state firearms statutes expressly authorize.

**1.5 Violation.** It shall be unlawful for any person to violate any provision of these rules and regulations.

**1.6 Enforcement.** This resolution and these rules and regulations shall be enforced by the Douglas County Sheriff or a Douglas County Park Ranger. These rules and regulations may be enforced by penalty assessment through the penalty assessment procedure provided in § 16-2-201, C.R.S., including arrest. In the event that the Sheriff or a Sheriff's Deputy issues a penalty assessment and does not arrest the defendant, the Sheriff or Sheriff's Deputy may require the defendant to leave the County Facility, Park or Open Space.

**1.7 Penalties.** Any violation of these rules and regulations shall constitute a class one petty offense and upon conviction thereof, shall be punished by a fine of Fifty Dollars (\$50.00) for each separate violation. In the event an individual is convicted of subsequent offenses under this Resolution and these rules and regulations, the fine shall increase One-Hundred Dollars (\$100.00) for each subsequent violation, up to a maximum of Three Hundred Dollars (\$300.00).

**1.8 Disposition of Fines.** All fines and forfeitures for the violation of this resolution and these rules and regulations, and all monies collected by the Court for violation thereof shall be paid to the Douglas County Treasurer's Office.

**1.9 Severability.** If any part or parts of this resolution or these rules and regulations are, for any reason, held to be invalid, such provision shall not affect the validity of the remaining portions of this resolution and these rules and regulations. The Board of County Commissioners hereby declares that it would have passed this resolution, these rules and regulations, and each part or parts thereof, irrespective of the fact that any one part or parts be declared invalid.

**1.10 Repeal.** All ordinances and/or resolutions or parts of ordinances and/or resolutions inconsistent with provisions of this resolution and these rules and regulations are hereby repealed. All previous resolutions adopting rules and regulations for Douglas County Facilities, Parks or Open Space are hereby repealed, including but not limited to Resolution R-003-075, R-002-117, R-005-128 and R-005-033. However, this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance or resolution repealed hereunder prior to the effective date of this Resolution.

## **SECTION II. PROHIBITIONS**

It shall be unlawful, unless otherwise approved in writing by the Director of the Douglas County Parks and Trails Division, Director of the Douglas County Open Space and Natural Resources Division, or Director of Facilities, or the County Manager, for any person:

- A. To enter, use or occupy any Facility, Park or Open Space, or any portion thereof, during the time such lands, or any portion thereof, are closed to entry, use or occupancy, including seasonal closures.
  
- B. (i) To remove, destroy, mutilate, deface or damage any building, structure, sign, marker, rock, vegetation, or other object located on any County Facility, Park or Open Space.
  
- (ii) To construct, place, or maintain any kind of road, trail, structure, signs, markers, fence, enclosure, communication equipment or other improvements on any County Facility, Park or Open Space.

- (iii) To excavate, dig, or disturb the ground of any County Facility, Park or Open Space, including but not limited to any rock, soil, sediment or vegetable matter.
    - (iv) To utilize any metal detector or similar device to search for any object on any Park or Open Space.
- C.
  - (i) To deposit or leave any refuse, trash, litter, household, construction debris, or commercial garbage or trash, including but not limited to brush, lawn trimmings, and Christmas trees, in or upon any County Facility, Park or Open Space.
  - (ii) To leave any refuse or rubbish generated on any County Facility, Park or Open Space except when deposited in designated receptacles.
- D.
  - (i) To build, start, or light any fire of any nature on any County Facility, Park or Open Space except in outdoor fireplace grills or camp stoves within designated areas.
  - (ii) To build, start, or light any fire of any nature in an outdoor fireplace grill or camp stove, or any other place whatsoever, even within designated areas, on Park or Open Space at any time that the Board or Sheriff has passed a resolution banning such fires due to fire danger in the County or neighboring areas.
  - (iii) To burn any material in a careless manner, or to leave any fire unattended, or to fail to completely extinguish any fire, on any County Facility, Park or Open Space.
  - (iv) To collect firewood on any Park or Open Space.
- E.
  - (i) To feed, hunt, trap, catch, molest, take, harass, harm, or kill any wild animal, bird, fish, reptile or amphibian or to disturb their habitat, on any Park or Open Space except:
    - (a) In designated areas where hunting is allowed by written permission from Douglas County in accordance with rules and regulations administered by the Colorado Division of Wildlife; or

(b) With written permission from Douglas County for purposes of scientific studies, research, wildlife census, education, or interpretation.

(ii) To allow domestic pets to harm, kill, chase, or otherwise harass any wild animal, bird, fish, reptile or amphibian on any Park or Open Space. Any dog or other domestic animal within a Park or Open Space shall be restrained by a leash, cord, rope or chain and under physical control of a person, except as otherwise provided for in this paragraph or posted with approval from the Board of County Commissioners.

(iii) To relocate or release animals, fish, birds or insects onto any Park or Open Space.

F. (i) To discharge any Firearm, unless expressly permitted by law (e.g., self-defense under C.R.S. § 18-1-704), on any County Facility, Park or Open Space, or to openly carry said Firearm in any County Facility, Park or Open Space where signs prohibiting firearms have been posted in compliance with §29-11.7-104, C.R.S., either permanently (e.g., the Robert A. Christensen Justice Center) or temporarily, as may be needed from time to time at the discretion of the County Manager.

(ii) To use any archery equipment, including but not limited to bows, longbows, crossbows, arrows, darts, and bolts on any County Facility, Park or Open Space.

(iii) To use or discharge any device capable of discharging any projectile by any means whatsoever, including but not limited to slingshots and wrist rockets on any County Facility, Park or Open Space.

(iv) To ignite or launch any model rocket on any County Facility, Park or Open Space.

(v) To use, ignite, or fire any fireworks or explosives, on any County Facility, Park or Open Space, except in designated areas when authorized in writing by Douglas County.

(vi) To golf or hit golf balls on any County Facility, Park or Open Space, except where specifically permitted.

- G. (i) To operate any motorized vehicle on any Park or Open Space, except on designated roadways and parking lots which are open to public use. Emergency, maintenance, and patrol vehicles are specifically excluded from this prohibition.
- (ii) To operate without written authorization by Douglas County, a motorized vehicle upon any roadway located on Park or Open Space that is designated a "service road."
- (iii) Except during lighted sporting events, or with written permission from the Director of the Division of Parks and Trails or the Director of the Division of Open Space and Natural Resources, to park or leave unattended any vehicle on any Park or Open Space at any time between one hour after sunset to one hour before sunrise.
- H. To park vehicles or trailers on any County Facility, Park or Open Space where prohibited or in such a manner as to create a hazard to vehicular, pedestrian, equestrian, or bicycle traffic, except at an approved special event.
- I. To camp overnight, or to park a trailer or camper for overnight camping purposes, on any Park or Open Space, except in areas which are designated for camping; or to camp, or to park a trailer or camper, in such a designated area for a period of time in excess of the posted or permitted limits, except for an approved special event.
- J. To enter, use or occupy Park and Open Space between the hours of one hour after sunset and one hour before sunrise, except when such entry, use or occupancy is within a designated active regional or local park where recreational activities may be allowed until 11:00 p.m., or when such entry, use or occupancy is authorized in writing by the Director of the Douglas County Division of Parks and Trails or the Director of the Douglas County Division of Open Space and Natural Resources.
- K. (i) To molest, harm, chase or otherwise harass any livestock on any Park or Open Space.
- (ii) To allow domestic pets to molest, harm, chase or otherwise harass any livestock upon any Park or Open Space.
- (iii) To turn livestock onto or to negligently or intentionally allow livestock to graze upon any Park or Open Space without written permission of the County.

- L. To swim or wade in waters within any Park or Open Space, except in designated areas.
  
- M. (i) To operate any boat or other flotation device on waters within any Park or Open Space, except in designated areas.  
  
(ii) To anchor or beach boats unattended overnight on any Park or Open Space or waters, except in designated areas.  
  
(iii) To launch any boat from a trailer, car, truck or any other conveyance on any Park or Open Space, except in designated launch areas.
  
- N. (i) To engage in any activity on any Park or Open Space that unreasonably endangers the health, safety, and welfare of any person, animal or property.  
  
(ii) To engage in disorderly conduct, as defined in § 18-9-106, C.R.S.
  
- O. To conduct any commercial activity, or provide any service, product or activity for which a fee is charged, on any County Facility, Park or Open Space, except when such activity is authorized in writing by Douglas County.
  
- P. (i) To fail to restrain any dog, cat, horse, or other domestic animal that one owns or that is in one's custody, care, or control, by use of a leash, cord, or rope not to exceed 10 feet in length, on any County Facility, Park or Open Space, except in designated areas, except when such animals are participating in events authorized by Douglas County.  
  
(ii) To allow any vicious dog, as that term is defined in Douglas County Resolution No. R-998-100, onto any County Facility, Park or Open Space.  
  
(iii) To leave unattended on any County Facility, Park or Open Space any dog, cat, horse, or other domestic animal that one owns or that is in one's custody, care, or control, except when such animals are participating in events authorized by Douglas County.  
  
(iv) To bring any dog, cat, horse, or other domestic animal that one owns or that is in one's custody, care, or control, into the Highland Heritage Regional Park, located southwest of the intersection of Quebec Street and University Boulevard, the Columbine Open Space property and the Sharptail Ridge Open Space property, except where permitted by signs.

(v) Any person who brings a dog into a Park or Open Space land shall pick up, carry out and dispose of that dog's excrement.

(vi) The Director of the Douglas County Division of Parks and Trails may authorize dogs, cats, horses and other animals in the Highland Heritage Regional Park for special events, subject to those conditions deemed necessary by the Director to protect the public health and safety.

Q. To exceed the speed of 20 miles per hour, or as otherwise posted, on all roadways and parking areas on any Park or Open Space.

R. For any person to consume alcohol beverages in excess of 3.2% on any County Facility, Park or Open Space, except on liquor licensed premises.

S. To carry, possess or discard any glass container or bottle on any Park or Open Space.

T. To walk, run, jog, hike, bicycle, or ride a horse off-trail, on any Park or Open Space that contain any trail, except under the immediate direction and control of a Douglas County employee or an authorized Douglas County Parks or Open Space volunteer, unless otherwise designated.

U. To interfere or attempt to interfere with any Park Ranger, other County employee, contractor, or volunteer while in the performance of their official duties, or to give false or misleading information with the intent to mislead said person in the performance of their duties.

V. Except in designated areas, to ride a skateboard or similar device on any driveways, parking lots, sidewalks, curbs, picnic areas, patios, courtyards, steps and other paved surfaced on any County Facility. This prohibition shall not apply to public sidewalks running adjacent and parallel to a public street, designated skateboard areas, or to County-approved skateboarding events, competitions and demonstrations.

W. Where "No Smoking" signs are posted at every entrance to a County Facility, with letters no smaller than 1" high or the international "No Smoking" symbol no smaller than 3" high, to smoke within any County Facility, or within 100 feet of any entrance to any County Facility, except in areas specifically designated as smoking areas.




**PASSED AND ADOPTED** this 17<sup>th</sup> day of December, 2013, in Castle Rock, Douglas County, Colorado.

**THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF DOUGLAS, COLORADO**

BY:

  
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JILL E. REPELLA, Chair

ATTEST:

  
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MELISSA PELLETIER  
Deputy Clerk

