

**RESOLUTION NO. 2013-09**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LA PLATA COUNTY, COLORADO, AMENDING SECTIONS 42-31 THROUGH 34 OF THE LA PLATA COUNTY CODE**

**WHEREAS**, pursuant to C.R.S. § 24-33.5-226, the Board of County Commissioners of La Plata County, Colorado (the “Board”) is authorized to close a County road or portion thereof for purpose of conducting athletic or special events thereon or for the purpose of ensuring the safe and efficient movement of traffic to and from or around an athletic event or special event which is in such proximity to a highway that the event or any traffic attendant thereto will have a significant effect on the normal traffic flow;

**WHEREAS**, Colorado counties possess those powers enumerated by the Colorado Constitution and Colorado Revised Statutes and such further incidental implied powers as are reasonably necessary to carry out the express powers;

**WHEREAS**, pursuant to these authorities, the Board is authorized to adopt regulations related to the closure of County roads and the Board previously adopted such regulations in Chapter 42 of the La Plata County Code (the “Code”);

**WHEREAS**, the Planning Commission for the County held a duly noticed public hearing on December 13, 2012, and after receiving competent evidence at the hearing, made a recommendation to the Board to approve Project No. 2012-0142;

**WHEREAS**, the Board held a duly noticed public hearing on February 5, 2013 and heard testimony and received competent evidence that Sections 42-31 through 34 of the Code should be amended as set forth in the attached Exhibit A; and

**WHEREAS**, the Board received competent evidence that it would be in the best interest of the general health, safety and welfare of La Plata County citizens to amend Sections 42-31 through 34 of the Code as set forth in the attached Exhibit A.


**NOW THEREFORE, BASED UPON THE EVIDENCE AND TESTIMONY PRESENTED AT THE PUBLIC HEARINGS, BE IT RESOLVED BY THE LA PLATA COUNTY BOARD OF COUNTY COMMISSIONERS:**


1. That Sections 42-31 through 34 of the La Plata County Code shall be and is hereby amended as set forth in the attached Exhibit A.
2. The enactment of this Resolution is necessary for the immediate preservation of public health, safety and welfare and, therefore, this Resolution shall take effect on date of its adoption.

**DONE AND ADOPTED IN DURANGO, LA PLATA COUNTY, COLORADO**, this 5th day of February, 2013.

BOARD OF COUNTY COMMISSIONERS OF  
LA PLATA COUNTY, COLORADO



  
\_\_\_\_\_  
Robert A. Lieb, Jr., Chair

  
\_\_\_\_\_  
Julie Westendorff, Vice-Chair

  
\_\_\_\_\_  
Gwen Lachelt, Commissioner

## EXHIBIT A

### **Sec. 42-31. - Permit required.**

Any event, such as a bicycle race, ride, foot race, walk or any other event that utilizes a highway or county road within the unincorporated portions of the county and may require changing, restricting or adapting the normal traffic use of such a road is required to obtain a special event permit.

### **Sec. 42-32. – Planning Department authorized to accept applications.**

The Planning Department is authorized to accept applications and attendant documentation for Special Events Permits, and is responsible for soliciting comment regarding the permit from the County Sheriff's Office, the County Office of Emergency Management, and the Department of Public Works.

### **Sec. 42-33. – Application review and consideration.**

Upon acceptance of an application and receipt of comments, the Planning Department shall provide the application materials to the Public Works Director. The Public Works Director is authorized to approve Special Events Permit applications and partially or completely close or restrict traffic for an event in accordance with C.R.S. § 24-33.5-226, as amended. The director shall require adequate proof of insurance liability coverage for the event, an operational and traffic control plan, an emergency management plan, a parking plan and a communication plan for interface with law enforcement personnel. The director may include appropriate conditions as part of the approval to protect the health, safety and welfare of the public.

### **Sec. 42-34. – Permit revocation.**

A permit may be revoked due to unforeseen conditions, including but not limited to, fires, floods, or other unexpected circumstances.