

**BOARD OF COUNTY COMMISSIONERS
COUNTY OF HINSDALE, STATE OF COLORADO**

RESOLUTION NO. 24, SERIES 2022

**A RESOLUTION ADOPTING RULES AND REGULATIONS FOR HINSDALE COUNTY'S
PUBLIC RECREATION FACILITIES AND LANDS**

WHEREAS, Hinsdale County, through its Board of County Commissioners, owns and operates public recreation facilities and lands in Hinsdale County, Colorado; and

WHEREAS, Section 29-7-101, C.R.S., authorizes the Board of County Commissioners to promulgate rules and regulations with respect to the operation of said public recreation facilities and lands and adopt the same via resolution; and

WHEREAS, the Board of County Commissioners hereby determines that the adoption of the Hinsdale County Recreation Facilities and Lands Rules and Regulations, a copy of which is attached hereto, is in the best interests of the public health, safety and welfare of Hinsdale County and its residents and visitors.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Hinsdale County, Colorado as follows:

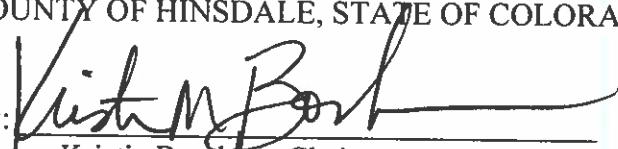
1. The Hinsdale County Recreation Facilities and Lands Rules and Regulations, attached hereto and incorporated herein by this reference, are hereby adopted.
2. All resolutions, orders and actions of Hinsdale County, or parts thereof, which are in conflict with the Hinsdale County Recreation Facilities and Lands Rules and Regulations, including but not limited to, the former Hinsdale County Recreation Facilities and Lands Rules and Regulations adopted on May 18, 2022, are hereby repealed.

Adopted and effective this 16th day of November, 2022.



BOARD OF COUNTY COMMISSIONERS
COUNTY OF HINSDALE, STATE OF COLORADO

By:


Kristie Borchers, Chair


Joan Roberts, County Clerk

HINSDALE COUNTY

Recreation Facilities and Lands Rules and Regulations

The following Rules and Regulations apply to all Hinsdale County public recreation facilities and lands, including but not limited to:

Wupperman Campground
Red Mountain Gulch Day Use Area
Lake San Cristobal Bock Dock Facility
Lake San Cristobal waters, Peninsula, and other surrounding public lands
Ute-Ulay Mine Complex
Veterans' Park
Debs Schoolhouse

- I. AUTHORITY. These Rules and Regulations are authorized by §§ 29-7-101, *et seq.*, and 42-4-101, *et seq.*, C.R.S.
- II. APPLICATION; JURISDICTION; PROCEDURE. These Rules and Regulations shall apply to and be enforceable within all public recreation areas and facilities owned by, or operated under the authority of, the Board of County Commissioners of Hinsdale County, Colorado. Enforcement of these regulations may be affected by the Hinsdale County Enforcement Officer (a/k/a Hinsdale County Building Official) and/or the Hinsdale County Sheriff's Office. The penalty assessment procedure provided in Section 16-2-201, C.R.S., may be followed by any arresting law enforcement officer for any violation hereof. Any person in violation of any of these Rules and Regulations commits a civil infraction punishable by fine (see Section VI below) or as otherwise provided by law. The County Court of Hinsdale County, Colorado shall have jurisdiction in prosecutions of violations of these Rules and Regulations. Hinsdale County assumes no responsibility for accidents, injuries, illness, loss or theft of money, valuables, or damage to property or persons of any kind, including but not limited to, acts of God or nature, accidents, fire, or vandalism.
- III. PROHIBITED ACTS GENERALLY. The conduct and actions listed in Section III of these Rules and Regulations below are prohibited within all Hinsdale County recreation facilities, lands, and areas. Any person violating any Rule and Regulation(s) set forth herein commits a civil infraction and is subject to fine, as stated in the fine schedule in Section VI hereof below.
 - A. GROUP GATHERINGS: Gatherings of more than 50 people at any Hinsdale County recreation facility, land or area are prohibited without first obtaining a Special Event Permit from Hinsdale County. Organizers must contact the Hinsdale County

Administration Office for a Special Event Permit application at least 60 days prior to the event and are subject to Hinsdale County's Special Event Permit Policy, or other rules and regulations proffered by the County for the same or similar purposes. Such group gatherings shall not exclude others that are not affiliated with said gathering from using the subject County facility, land or area. Private gatherings by reservation are allowed only at Red Mountain Gulch Day Use Area and must be pre-booked through a special event permit issued by the Hinsdale County Administration Office.

- B. **CAMPING:** Overnight camping in non-designated areas is prohibited. Day-use-only areas may be used only for hours posted, or if no hours are posted, daily from 6 a.m. until sunset.
- C. **FIRES:** Fires outside of provided metal grills or fire pits are prohibited. Unattended fires of any kind are prohibited. Violating any Hinsdale County fire restrictions, if applicable, is prohibited.
- D. **VEHICLES:** Leaving vehicles, boats, campers, trailers, or other items unattended and unused for over 24 consecutive hours is prohibited. Operating or parking a vehicle on other than established roads or parking areas is prohibited. Parking vehicles or trailers in areas posted "no parking" or "no trailer parking" is prohibited. Operating any type of vehicle on a non-motorized trail is prohibited.
- E. **PETS:** Must be confined on a leash or by vocal control and may not be left unattended or tied to trees or any vegetation. Allowing dogs or other pets to create a nuisance, noise, or disturbance is prohibited. Harassment of wildlife by dogs or pets is prohibited. Pet waste must be picked up and removed.
- F. **USE RESTRICTIONS:** Entering, using, trespassing or occupying any areas prohibited against such use is prohibited. To remove any Hinsdale County property of any type is prohibited. Rock climbing in non-designated areas is prohibited. Motorized vehicle use, biking or riding a horse on trails designated as hiking only is prohibited.
- G. **COMMERCIAL USE:** Hinsdale County must be notified prior to any commercial use of public areas or public waters for any commercial purpose whatsoever. Commercial use without the express written consent of Hinsdale County is prohibited.
- H. **SANITATION:** Trash must be placed in dumpsters provided by Hinsdale County or removed. Use of Hinsdale County dumpsters to dispose of household trash or commercial refuse brought from outside the recreation facility, area or land is prohibited. Leaving refuse of any kind, including but not limited to, fish, fish entrails, human or animal excrement, wastewater, gray water, cans, bottles, plastic or paper cartons, or other litter of any type, is prohibited. To clean fish, animals, food, clothing, or other household articles, or to do personal washing at drinking-water hydrants or otherwise, is prohibited.

- I. GLASS: Willful destruction of glass containers or failure to clean up inadvertently destroyed glass containers is prohibited.
- J. DESTRUCTION OF PUBLIC PROPERTY: To remove, destroy, mutilate, modify, or deface any building, structure, water- control device, fence, gate, notice, sign, survey or section marker, tree, shrub, or other plant or vegetation, or any other item of public property or natural significance is prohibited.
- K. DISORDERLY CONDUCT: To engage in careless or reckless activities on land or in water, which creates a risk of injury or inconvenience to another person, animal, pet, or property is prohibited.
- L. ALCOHOL AND CONTROLLED SUBSTANCES: No person under 21 years of age shall possess or consume alcoholic beverages or marijuana. The use, display, or possession of illegal drugs or illegal substances of any kind is strictly prohibited.
- M. FIREARMS/WEAPONS: Discharging of firearms is prohibited. Possession or display of firearms must comply with Colorado state law. Use of air powered guns, paint-ball guns, bows and arrows, and knives (other than for hunting, fishing, or cooking purposes) are prohibited.
- N. FIREWORKS: To possess or discharge any type of firework, sparkler, incendiary device, explosive device, etc., except as authorized by the Hinsdale County Sheriff's Office, is prohibited.
- O. WILDLIFE: Any hunting or trapping activity, except legal waterfowl hunting on the waters of Lake San Cristobal during state prescribed hunting seasons, is prohibited. Harassment of wildlife is prohibited.
- P. AIRCRAFT: Taking off or landing any type of aircraft is prohibited, unless an emergency exists and such taking off or landing of aircraft is required to aid or abet in the avoidance or resolution of said emergency or is otherwise authorized by law enforcement personnel.

IV. WUPPERMAN CAMPGROUND.

In addition to the Rules and Regulations listed in Section III above, the following Rules and Regulations apply specifically to Hinsdale County's Wupperman Campground:

- A. The Wupperman Campground shall be open from the Friday before Memorial Day until September 30 of each year. Camping outside those dates is prohibited.

- B. The Wupperman Campground host shall be onsite from the Friday before Memorial Day through September 30 of each year. The Campground host shall monitor campground activity and report any violations to the Hinsdale County Sheriff's Office, if necessary.
- C. Campsites are available for \$20 per day, paid onsite by check or cash only. Reservations are not accepted, and campsites are available on a first-come, first-served basis. Upon arrival, campers must visit the Campground Host's camp site to be issued a campsite. If the Host is not available, campers must choose from the indicated available sites and leave a registration form in the designated drop box. The Campground Host shall collect payments from users of the Wupperman Campground. Checkout time is 12:00 noon.
- D. Camping in any one campsite is limited to fourteen (14) continuous days
- E. Camping is permitted in designated campsites only. No equipment, or other property, provided by the Wupperman Campground may be moved or removed. Digging or leveling of ground in a campsite is prohibited. Groups of ten (10) or more people on one campsite must receive prior approval from the Campground Host before entering or using the same.
- F. Barrier Free Campsites may be available to those with mobility impairments on a first-come, first-served basis. Use of these campsites is overseen by the Campground Host.
- G. Property shall not be left unattended at a campsite for more than 24 hours without prior consent of the Campground Host. Property of any person shall not be left at the Campground after check-out. If any property is left at the Campground, including but not limited to, any campsite therein, the person leaving such property may be subject to a civil infraction hereunder and such property may be kept or disposed of at the sole discretion of the Hinsdale County Administration Office.
- H. Quiet time is from 10 p.m. until 7 a.m. Generator use is permitted only between the hours of 7 a.m. and 10 p.m. Noise must be limited to inhabited campsites, day or night. Loud noises are prohibited. Anyone acting in disturbance of the peace, or as a nuisance to other campers, may be reported to the County Sheriff's Office and subject to a fine hereunder or as otherwise provided by law.
- I. A 5-mph speed limit shall be observed in the Campground by any and all motor vehicles, off highway vehicles, and bicycles. All vehicle and bike travel shall occur on designated roadways only. Trails are for foot travel only.

- J. When available, campers are welcome to fill water jugs and RV water tanks. Faucet adaptors and hoses shall be disconnected after use.
- K. Children less than six (6) years of age shall be accompanied to the restrooms by an adult at all times.
- L. Dogs shall be confined on a leash or by vocal control and may not be left unattended or tied to trees or any vegetation. It shall be unlawful for any person to allow any animal over which he or she is responsible for to defecate upon any property within the Campground without such excrement being removed and disposed of by the person in control of such animal. Barking, annoying, or vicious dogs may be subject to removal from the Campground, at the discretion of the Campground Host, County Sheriff's Office.. Horses, donkeys and mules are not permitted.
- M. Fires are permitted in developed fire rings only, and fire rings shall not be moved or removed. Unattended campfires are prohibited. Fire bans shall be observed. Bonfires and the use of chainsaws are prohibited. Firewood may be gathered from dead and downed trees in the Campground only.
- N. Campers must secure food and waste in a locked vehicle or in provided food lockers to prevent attracting bears and other wildlife into the Campground.
- O. Trash shall be placed in dumpsters provided by Hinsdale County or removed from the Campground. Use of Hinsdale County dumpsters to dispose of household trash, commercial trash, or any other trash brought from outside the Campground and not related to the visitor's use of the Campground is prohibited.
- P. All RV waste, including but not limited to gray water, must be disposed of at the Trailer Dump Station, if available. The Dump Station is for registered Wupperman campers only, unless otherwise arranged with the Campground Host. The dumping of gray or black water in the outhouses is strictly prohibited.
- Q. No person under 21 years of age shall possess or use alcoholic beverages or marijuana. The use, display, or possession of illegal drugs or illegal substances of any kind, is strictly prohibited. Abuse of alcohol or drugs will be cause for immediate eviction from the Campground at the discretion of the Campground Host, the Hinsdale County Sheriff's Office and/or the County Enforcement Officer.
- R. Discharging firearms is prohibited. Possession or display of firearms must comply

with Colorado state law. Use of air powered guns, paint-ball guns, bows and arrows, fireworks, explosives, and knives (other than for hunting, fishing, or cooking purposes) is prohibited.

- S. Hinsdale County assumes no responsibility for accidents, injuries, illness, loss or theft of money, valuables, or damage to property or persons of any kind, including but not limited to, acts of God or nature, accidents, fire or vandalism. All campers assume the responsibility for any property damage and of maintaining proper insurance on their camper and personal property.

V. LAKE SAN CRISTOBAL. In addition to the Rules and Regulations listed in Section III above, the following Rules and Regulations apply specifically to Hinsdale County's Lake San Cristobal Recreation Area, which includes the areas of the Lake, the Peninsula, and all other publicly owned areas and facilities surrounding or adjacent thereto:

- A. All fishing activities must conform to applicable Colorado Parks and Wildlife rules and regulations.
- B. Children under 12 years of age must have adequate adult supervision while swimming.
- C. Scuba diving is prohibited.
- D. Motorized and self-powered vessels are permitted on Lake San Cristobal. All activities of recreational users on waters and in areas to which these Rules and Regulations apply, shall be in compliance with these Rules and Regulations and with Article 13 of Title 33, C.R.S. Motorized boats must display a State of Colorado permit sticker and valid state registration number. In addition to the foregoing, motorized boat operators must have a valid state registration certificate and insurance.
- E. Winter recreation on Lake San Cristobal, including ice fishing, erecting of ice huts, ice skating, cross-country skiing, snowshoeing, snow shoveling, ice hockey, and any other activities taking place on the Lake ice is permitted.
- F. All activities on, in or around Lake San Cristobal is "at your own risk" and Hinsdale County is in no way responsible or liable for any injury or damage to persons or property.
- G. The following conduct and/or actions are prohibited while operating a boat or other vessel:
 - 1. Traveling at speeds of 25 mph or more.

2. Persons riding or sitting in an unsafe manner.
3. Traveling within 150 ft. of any moored vessel, person engaged in fishing, or non-motorized vessel, and failing to reduce the speed of the motorized vessel to prevent the wake or wash of the motorized vessel from causing damage or inconvenience to other party or vessel.
4. Creating a wake within 150 feet from the County boat dock or other docking facilities.
5. Operating while under the influence of alcohol or any drug which renders the operator incapable of safely operating the vessel.
6. Failing to steer to the starboard (i.e., right) side when another vessel is approaching head-on or nearly so.
7. Overtaking another vessel and failing to keep clear of the vessel being overtaken.
8. Failing to give the right-of-way to a vessel on the right when the course of two vessels is such that, unchanged, will cross.
9. Failing to yield the right-of-way to a non-powered vessel.
10. Operating a vessel or any other legal water device in a careless manner.
11. To operate or give permission to operate any vessel without adequate muffling devices so as to make excessive noise.
12. To moor, beach, anchor, or otherwise leave a vessel, unless such vessel has an approved mooring from the County.
13. Discharging any form of human, animal, or pet waste into the waters.
14. Operating a vessel that is overloaded or unseaworthy.
15. Towing, operating, and/or using a ski-kite or parachute.
16. Operating or using a jet ski or similar vessel.
17. Towing a water skier or person on an inflated device.
18. Operating a vessel without accessible required personal flotation devices

that are legibly marked with appropriate U.S. Coast Guard numbers and are of the appropriate size for the person wearing it or for whom it is intended.

19. Equipping a vessel with or using safety equipment that is not in good and serviceable condition.

20. Operating a vessel without an efficient whistle or other sound producing mechanical appliance.

21. Operating a vessel anytime between sunset and sunrise without appropriate lights.

H. BOAT DOCK FACILITY

1. Every motorized watercraft being launched at Hinsdale County's Lake San Cristobal boat ramp must be registered with Colorado Parks and Wildlife, unless otherwise required by CPW regulations.

2. Dock users are responsible for disposing of all trash properly. A dumpster is provided at the boat dock area for this purpose. Smoking is not permitted on the boat dock.

3. Fish cleaning is not allowed in the boat dock area, except in officially designated fish cleaning stations or areas, if any.

4. Restrooms in the boat dock area are for public use and convenience.

5. Boat slips at the Hinsdale County Boat Dock are available to rent for motorized boats. Reservations for boat slips are chosen through two separate lotteries, one for private use and one for commercial use. Five private boat slips are available for rent, and three commercial boat slips are available for rent. If the County receives less applications than slips available in either lottery, the remaining spots may be filled with either commercial or private applicants at the County's discretion.

6. Those wishing to participate in either of the boat slip lotteries must contact the Hinsdale County Administration Office for an application. Applications must be received between November 15 and December 29 annually. Notice for applications will be advertised in November and December. Only one application will be accepted per boat. Only one boat slip per business is permitted.

7. Drawings for both the private and commercial boat slips will take place during the first Board of County Commissioners' meeting of each year. Slip numbers are assigned by the order in which the names are drawn in the lottery. Names drawn in the lottery will be contacted as soon as reasonably possible and informed that they were awarded a boat slip. Those chosen for a slip must pay the corresponding fees within 30 days of the lottery or the

reservation will be forfeited. Forfeited reservations may be filled through a subsequent lottery.

8. 18 rack spaces are available for rent for non-motorized watercraft.

9. Proof of insurance for all motorized watercraft that are docked in Hinsdale County motorized boat slips shall be provided to the Hinsdale County Administration Office and be effective for the full period of the rental term. Renters must sign an application form and liability waiver in favor of Hinsdale County. Renters assume all liability for any damage to a motorized boat slip or county provided non-motorized rack space. Hinsdale County will invoice renters for any repairs required due to damage caused to the boat slip or rack space, payment for which shall be required upon receipt.

10. Businesses wishing to rent non-motorized watercraft at the boat dock areas must have written permission from Hinsdale County. Renting of non-motorized watercraft at the boat dock area is at the discretion of Hinsdale County. Businesses renting non-motorized watercraft are limited to those types of craft that can be stored off the ground in a rack. Businesses must provide a rack for the rented watercraft with adequate space for all items.

11. Fees. Fees for boat slip and rack space rentals are as follows:

i. Motorized, non-commercial slips (five available) \$600 per season (mid-May to October 15).

ii. Motorized, commercial slips (three available limited to one slip per business): \$1,200 per season (mid-May to October 15). Commercial operations are defined as businesses that provide services involving watercraft on Lake San Cristobal for a fee.

iii. Non-Motorized, County provided rack spaces (18 available): \$20 per month, \$75 per season.

iv. Non-motorized commercial racks: \$450/season with permission from Hinsdale County. Racks must be provided by business and placed in North shore area.

12. Boat slip sharing and non-motorized rack space sharing is allowed, but Hinsdale County has no responsibility for resolving disputes among sharers.

13. Leaving non-motorized watercraft on the ground anywhere in the boat

dock area is prohibited.

14. Any watercraft left at the boat dock or non-motorized launch area after October 15 will be removed by Hinsdale County. A fee of \$50/month will be required for release of the watercraft.

15. Tying boats to the boat dock is prohibited unless during times of loading or unloading.

16. Leaving watercraft moored at the boathouse is prohibited.

I. PENINSULA

1. The pedestrian bridge located on the Peninsula shall be closed from March 1 through June 1 of each year.

2. There shall be no more than 25 persons on the pedestrian bridge at any one time.

3. Domestic pets, including but not limited to dogs, are prohibited from using the pedestrian bridge.

4. Fishing is prohibited on the pedestrian bridge.

VI. FINE SCHEDULE FOR VIOLATION OF RULES. When the Penalty Assessment Procedure provided in Section 16-2-201, C.R.S., is utilized, the following schedule of fines shall be applicable:

A. A person committing a first infraction of any rules or regulations hereunder shall be subject to a fine of \$50.

B. A person committing a second infraction of any rules or regulations hereunder shall be subject to a fine of \$100.

C. A person committing a third or more infractions of any rules or regulations hereunder shall be subject to a fine of \$200.

All fines levied hereunder shall be paid to the Hinsdale County Treasurer within 30 days of issuance or immediately upon final disposition by a court of competent jurisdiction.

VII. STATE AND FEDERAL LAW. Nothing in these Rules and Regulations is intended to restrict or supplant enforcement of any federal, state, or other local laws, rules, or regulations. To the extent permitted by law, these Rules and Regulations may be enforced concurrent to any federal, state, or local law, rule, or regulation which may be applicable.

VIII. SEVERABILITY. If any provision of these Rules and Regulations or the application

thereof to any party or circumstance shall to any extent be invalid or unenforceable, the remainder of these Rules and Regulations or the application of such provision to parties or circumstances other than those to which it is invalid or unenforceable, shall not be affected thereby, and each provision of these Rules and Regulations shall be valid and enforceable to the fullest extent permitted by law.

- IX. REPEAL OF PRIOR RESOLUTIONS: All resolutions, orders and actions of Hinsdale County, or parts thereof, which are in conflict with these Rules and Regulations, including but not limited to the Hinsdale County Boat Dock Policy, are hereby repealed.