

TOWN OF GYPSUM, COLORADO

**ORDINANCE NO. 06
SERIES 2025**

**AN ORDINANCE OF THE TOWN OF GYPSUM, COLORADO
AMENDING SECTION 10.02.040 OF THE GYPSUM MUNICIPAL CODE
WITH RESPECT TO PENALTIES FOR VIOLATIONS OF CHAPTER 10.02,
OFF-HIGHWAY VEHICLES**

WHEREAS, the Town of Gypsum ("Town") is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and the Town's Home Rule Charter effective October 21, 1982 (the "Charter"); and

WHEREAS, pursuant to Article 1.3 of the Charter, the Town has all power of local self-government and home rule and all power possible for a home rule municipality to have under the Constitution and laws of the State of Colorado; and

WHEREAS, Chapter 10.02 of the Gypsum Municipal Code ("Code") regulates the use of off-highway vehicles within the Town; and

WHEREAS, the Town has a legitimate interest in preserving the public health and safety of residents on the roads within the Town limits by regulating off-highway vehicle usage within the Town; and

WHEREAS, the Town Council desires to update Chapter 10.02 of the Code, Off-Highway Vehicles, by establishing a penalty schedule for violations of such chapter, in order to promote public health and safety;

NOW, THEREFORE, be it ordained by the Town Council of the Town of Gypsum, Colorado that:

Section 1. Amendment of Section 10.02.040 of the Code. Section 10.02.040 of the Code is hereby amended as follows to delete the stricken-through text and add the double-underlined and capitalized language:

10.02.040 – Penalties

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this chapter. Any person who violates any of the provisions of this chapter commits a civil infraction. ~~The municipal judge is hereby authorized to promulgate a penalty assessment schedule for violations of this chapter in accordance with Rule 210(b)(5) of the Colorado Municipal Court Rules~~

~~of Procedure. Fines and costs shall be paid to, received by, and accounted for by the court clerk.~~ THE FOLLOWING PENALTY SCHEDULE SHALL APPLY TO OFFENSES CHARGED PURSUANT TO THIS CHAPTER:

FIRST OFFENSE: \$150.00

SECOND OFFENSE: \$300.00

THIRD OFFENSE: \$450.00

EACH SUBSEQUENT OFFENSE: THE MAXIMUM AMOUNT PERMITTED PURSUANT TO SECTION 2.01.100(6) OF THE GYPSUM MUNICIPAL CODE.

FINES AND COSTS SHALL BE PAID TO, RECEIVED BY, AND ACCOUNTED FOR BY THE TOWN CLERK.

Section 2. Public Inspection. Copies of this Ordinance and the Gypsum Municipal Code are available for public inspection at the office of the Gypsum Town Clerk.

Section 3. Public Hearing. A public hearing on this Ordinance shall be held on the 13th day of May, 2025 at 7:00 p.m. at the Gypsum Town Hall, 50 Lundgren Boulevard, Gypsum, Colorado.

Section 4. Effective Date. This Ordinance shall become effective as a permanent Ordinance five (5) days after publication, following final adoption after a public hearing held on the 13th day of May, 2025, at 7:00 p.m. at the Gypsum Town Hall, 50 Lundgren Boulevard, Gypsum, Colorado.

Section 5. Severability. If any portion of this Ordinance is found to be void or ineffective, it shall be deemed severed from this Ordinance and the remaining provisions shall remain valid and in full force and effect.