San Miguel County Parks & Open Space

Placerville Park

Use Policies & Fee Structure Manual

AS APPROVED AND ADOPTED BY THE SAN MIGUEL COUNTY BOCB BY RESOLUTION 2023-14 ON MARCH 15, 2023

San Miguel County Parks & Open Space Department
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Enacted by Resolution of the San Miguel County Board of Commissioners pursuant to Colorado Revised Statutes Title 29, Article 7, Part 1, Title 30, Article 11, Part 1, and §18-9-117, C.R.S., effective as of March 15, 2023.
General Placerville Park Rules and Regulations

1. **Presence of Members of the Public**

The Placerville Park is open to the public daily from 6:00 AM to 9:00 PM year round, with opening and closing dates to be determined by the County Parks Supervisor, in consult with the Director of Parks & Open Space, or designee dependent upon weather conditions, presence of a public emergency or fire smoke. Notice of such Park rules shall be posted at the Park entrance, at the County offices in Telluride, on the County website and disseminated to the local news media. Park quiet hours are from 9:00 PM to 6:00 AM. Quick use of the bathrooms is allowed during park quiet hours. Any person’s lingering or long-term presence, use or occupancy, parking lot, or in and around the bathrooms between the hours of 9:00 PM and 6:00 AM is prohibited and will be monitored by the County Sheriff’s Office. (§18-9-117, C.R.S.)

2. **Motor Vehicle and Electric Bicycle Use and Parking**

Motor Vehicle use including motorcycles, all classes of electric bicycles, electric scooters and electric one wheels are limited to the designated vehicular access roads and designated parking lot areas. Under no circumstances shall any such motorized vehicles be operated in or upon any other area of the Park not specifically designated for Motor Vehicle use. Limited motor vehicle access may occur during contracted arborist work, approved utility work and by permitted special events only. Heavy equipment, that may damage irrigation systems, is not permitted.

Park users must follow posted parking regulations and signage. All regulatory signage along Front Street will follow Manual on Uniform Traffic Control Devices (MUTCD) guidelines and will be approved by the County Road and Bridge Department. Parking immediately adjacent to park facilities is reserved for permitted and casual users of park facilities. No overnight parking is permitted. Parking along Front Street is restricted by County Ordinance No. 2021-01 regulating the parking of vehicles on County roads, property and road right of ways. Parking, for park users, is limited to 4 hours or the duration of approved special events. Parking directly next to the park bathrooms is limited to 1 hour. Parking of unattended trailers is not permitted at any time.
3. **Overnight Camping**

Any form of camping or temporary residence, including any and all forms of car camping and tent camping, using any form of recreational vehicle, camper trailer, or other motorized vehicle, is prohibited and the parking lots from 9:00 PM to 6:00 AM (§18-9-117, C.R.S.)

4. **Fires and Fireworks**

Campfires and fireworks are prohibited. No open fires or wood burning are allowed. Charcoal fires are permitted in designated grills. Propane camping stoves are permitted in designated picnic areas. All charcoal, camp stove, and open fires must follow existing San Miguel County and United States Forest Service fire restrictions. (§18-9-117, C.R.S., when Parks are closed to public; §29-7-101, C.R.S., when Parks are open to public.)

5. **Alcohol and Drug Free Zone**

The use and/or possession of alcoholic beverages, cannabis vaping pens and controlled substances by members of the public is prohibited, except to the extent specifically authorized by the Board of County Commissioners or its designee. The Board of County Commissioners, or its designee, may require a written request for such activity, and may permit consumption of alcohol for authorized reserved uses or permitted special events, subject to compliance with specified terms and conditions. Smoking and vaping, of any kind, is not permitted inside public restrooms. (§18-9-117, C.R.S., when park is closed; §29-7-101, C.R.S., when park is open).

6. **Loud Noise and Disturbances**

Loud noises, drones, and radio controlled aircraft are not permitted. Park users shall be considerate of other users and residents of neighboring properties by avoiding the use of any radio, tape player, drone, radio controlled aircraft, band or musical instrument, television, phonograph, or any device capable of reproducing sound at such high volume so as to disturb the peace and quiet of another Park user or resident of a neighboring property. In no event shall Park users engage in any activities, which violate Colorado’s statutory noise standards for residential areas (55 db (A) from 7:00 AM to the next 7:00 PM, and 50 db (A) from 7:00 PM to the next 7:00 AM. See: §25-12-103, C.R.S.). (§18-9-117, C.R.S., when Park closed to public; §29-7-101, C.R.S., when Park opened to public).
7. **Firearms and Archery**

Archery and target shooting are prohibited in Placerville Park. Pursuant to §29-11.7-104, C.R.S. and County Resolution No. 1997-35, the open carrying of Firearms is prohibited. (§18-9-117, C.R.S.)

8. **Dogs, Animals and Wildlife**

Dogs, cats and other domestic animals must be on a leash or under strict voice command, and under control and in sight of owner at all times except when participating in obedience classes, training or other authorized park activities. San Miguel County requires that pet owners help keep the Park free of animal feces and disease by using the pet pick-up stations provided. With permission from the Parks Supervisor, horses, ponies and all domestic or exotic animals are only allowed in the parking lot and designated vehicle access roads.

9. **Garbage and Trash**

Park users shall keep the Park trash free by depositing all waste (garbage) (including cigarettes) in identified trash receptacles. (§29-7-101, C.R.S.). Large parties and special events (50-150 people) must provide additional trash receptacles and remove their trash as approved by County staff. Public dumping of household trash or hazardous waste is not permitted and may be punishable under County, State and Federal laws.

10. **Sales and Advertising**

   (a). **Sales, Displays Prohibited.** It is unlawful for any person to expose or offer for sale any article, substances, or object, legal or illegal, or to station or place any stand, cart, or vehicle for the transportation, sale or display of any such article, substances, or object. Special Events (50-150 people) must obtain a commercial use license and pay a vending fee.

   (b). **Advertising Prohibited.** It is unlawful for any person or recreation area to announce, advertise, or call the public’s attention in any way to an article or service for sale or hire. (§29-7-101, C.R.S.)

11. **Golfing**

In order to insure the safety of all Park users, golfing, or making use of any golf club or golf ball is prohibited. (§29-7-101, C.R.S.)
12. Public Meetings and Gatherings
Meetings, gatherings, or any scheduled event, public or private, which the sponsor reasonably anticipates will be attended by 20 or more persons, require reservations and issuance of a use permit. All other non-reserved gatherings are on a first-come, first-served basis. (§29-7-101, C.R.S.)

13. Friends of the Parks and Volunteers
If you are interested in becoming a member of “Friends of the Parks”, please contact the Parks Supervisor at https://www.sanmiguelcountyco.gov/197/Parks-Open-Space. “Friends of the Parks” help to maintain the County’s parks and trails through volunteer stewardship programs. Volunteers must sign a volunteer waiver form.

14. Penalty
Any person or persons guilty of violating any of the provisions contained in these Park Use Policies, General Rules and Regulations, may be deemed guilty of a misdemeanor and subject to the penalties set forth in §18-9-117, C.R.S., Unlawful Conduct on Public Property; or guilty of a petty offense and subject to the penalties set forth in §29-7-101, C.R.S., as indicated in the parenthetical statutory citation(s) appended to each such rule and/or regulation.

In addition to any criminal penalties that may be authorized by law for violation of these Park Use Policies, General Rules and Regulations, officials and employees of the San Miguel County Parks & Open Space Department, as well as sworn peace officers of the State of Colorado, are hereby authorized and empowered to order any person or persons whom they find and determine to be violating these Park Use Policies, General Rules and Regulations, to immediately remove themselves from the Park premises should such person(s) fail and/or refuse to comply with a warning to immediately cease and desist from conduct that is in violation of Park Use Policies, General Rules and Regulations. Should such person(s) fail or refuse to comply with an order to remove themselves from the Park premises, any county official or Parks & Open Space employee is hereby authorized and empowered to take such actions as they determine to be reasonably necessary and appropriate to physically remove such person(s) from the park premises. Person(s) removed from the Park premises pursuant to these Park Use Policies, General Rules and Regulations, are barred from re-entering the Park for no less than twenty-four hours from the time of their removal from the Park, or for such longer time period as may be specified by the county official or employee at the time of such person(s) removal from the Park, not to exceed thirty days. More serious infractions of state or federal laws may result in permanent removal.
Placerville Park and Facility Use Permits

See Appendix for Placerville Park Reservation Form

1. Permits and Use License Agreements
An approved County Park Use Permit or Use License Agreement shall be obtained from the Parks Supervisor or designee whenever any person or group desires to reserve any portion of the Park for any activity. A use request form must be completed for groups of 49 or less wishing to host an event. Larger events of 50-150 people must enter into a separate use license agreement. The Parks Supervisor or designee shall administer and interpret these policies and may act in any case not specifically covered by these policies. Any request for a use not contemplated or which is prohibited in these policies may be forwarded to the Director of Parks & Open Space who may take the matter before the San Miguel County Board of County Commissioners for its consideration.

2. Reservation Process
An application for permission to reserve the Park or portion thereof by persons or groups shall be initiated at least one week prior to the requested date, and shall have written approval by the Parks Supervisor or designee, provided, however, that in extraordinary cases, the Parks Supervisor or designee may waive or shorten the one week time period as set forth above. Reservations vary based on size and scope of activity and use fees may be required.

3. Damage and Clean-up Deposit
All activities shall be under competent, adult supervision, and the organization using the facility shall assume full responsibility for any damage to the facility or the equipment. The Parks Supervisor (or designee) may, at their discretion, require that a damage and clean-up deposit, or any other payment, be made in advance of approved event by cash or certified funds. At the discretion of the Parks Supervisor (or designee), there may be a refundable fifty-dollar ($50) deposit for groups that involve up to 20 people, a refundable one-hundred dollar ($100) deposit for groups from 21-49 people, and a refundable deposit of up to five-hundred dollars ($500) for groups with 50-150 persons. The Parks & Open Space employee on duty shall exercise authority over the organization and its activities. Clean-up of the contracted area shall be the responsibility of the user. The user shall be charged on an hourly basis at one-hundred dollars ($100) per hour to pay for clean-up if it is necessary for the County to provide additional clean-up services. Other County authorized fees may apply. See Appendix
for damage and clean-up deposits.

4. Permit Revocations/Cancellations

All permits shall be revocable for cause by the Board of County Commissioners upon finding of a violation of any applicable County rule, regulation, these Park Use Policies, or any other applicable County ordinance or state statute, following notice to the licensee/renter of the alleged violation(s), and a reasonable opportunity to be heard before the Board of County Commissioners. If notice of cancellation of a request is not received at the office of the Parks Supervisor or designee at least forty-eight (48) hours prior to the date of the event, the permit holder may be held responsible for all charges. Events may be cancelled and fees refunded by the Parks Supervisor in the event of a natural disaster such as fire, heavy smoke, or other unsafe conditions.

5. Special Use Regulations

No apparatus or furniture, tents or equipment shall be moved into a park facility unless special permission is granted in advance and, so stated in the permit. Such apparatus, furniture or equipment (provided by the holder of the permit) shall be removed from the Park area promptly after use and before 8:30 AM the following morning so there will not be any interference with scheduled park and recreation programs. Failure to comply with this timeframe shall prohibit such groups from using facilities at a later date and/or the withholding of their deposit.

6. Indemnification

The organization or other permittee(s) using park facilities shall indemnify the County, and its officials and employees, for any and all damage to the Park facilities caused by any person or persons attending a permitted event, and for all liabilities and damages to any persons or property for injuries or damage, including death arising from use of the Park facilities. Proof of adequate liability insurance coverage, as determined by the County Attorney’s Office, must be provided by each organization using park facilities to cover such liability exposure, listing the County as an “Additional Insured.” Responsibility for loss, breakage or need for repair of any piece of furniture, equipment or portion of the facility or area, shall rest solely with the person in charge, the individual signing the agreement, who shall report same to the Parks Supervisor. Neither this indemnification obligation of a permittee to the County, nor a permittee’s providing proof of adequate liability insurance coverage for permitted uses shall waive any defense, immunity, or right that the County may have under the Colorado Governmental Immunity Act.
7. **Hours of Use**

Park facilities and areas shall be vacated by 9:00 PM unless permission is otherwise granted specifically in the use license agreement. It is the responsibility of the licensee to assure that this policy is administered. Programs shall be concluded in time to provide for clean-up and clearance of the facility as stated in the use license agreement.

8. **Permitting Requirements**

The following specific rules must be observed while using any County facility and the user/licensee will be held responsible for any loss or damage growing out of such violation:

A. The use of tobacco in any facility in any form must be carefully controlled. No smoking is allowed unless proper and adequate waste containers are provided. Use of tobacco is prohibited during school events. No smoking in the public bathrooms on County property.

B. Functions shall be confined to the specific part of the facility assigned to the licensee.

C. The possession, sale, and/or distribution of illegal substances is prohibited. The sale, distribution and/or use of intoxicating beverages is prohibited, except by special use permit. A liquor license must be obtained to sell alcohol at any special event on County property. Possession and consumption of alcoholic beverages is not permitted at youth events.

D. The following activities require a use license agreement from the Parks Supervisor. (i). weddings and wedding receptions. (ii). religious ceremonies. (iii). the continuous/regular use of park and recreation facilities for religious services or political purposes.

E. Parking space is limited. Use of public or mass transportation to and from activities is encouraged to alleviate limited parking. To avoid exceeding the parking capacity of the Park, the total number of people admitted for any usage and their method of transportation may be considered when the permit is issued.

F. All applicable statutes, rules, regulations, and/or ordinances of the federal, state, and county shall be complied with by the licensee and members of the public using the park.
G. The use of special equipment is permitted only when operated by County employees or other persons specifically authorized in the special use agreement. When used by other than County employees, and so stated in the permit, proof of insurance may be required and the special equipment shall be returned in condition it was found (with the exception of normal wear) or the user shall be responsible for repair or replacement charges.

H. No material of any kind shall be attached to any part of the facility or area without express written approval from the Parks Supervisor.

I. If control personnel, parking attendant, etc., are necessary, the applicant shall supply such personnel. The Parks Supervisor, Sheriff, fire marshal or the County Manager, shall specify when control personnel are necessary. Applicants shall pay for costs associated with any additional control personnel.

J. Concession rights shall be reserved by San Miguel County unless specifically stated otherwise in the permit.

K. Walkways, roadways, trail, and parking facilities shall be defined as those specifically surfaced areas within the Park property constructed for that purpose.

L. Continuous use of facilities by clubs or enterprises shall be permitted only through signed agreements authorizing such specific use, which shall be reissued as necessary at the discretion of the Parks Supervisor. No such permit agreement shall exceed a period of time of one year. Permits may be reissued each year with the approval of the Parks Supervisor.

M. The Parks Supervisor or designee reserves the right to cancel the use of the Park, if he or she deems that damage may occur to the facility during inclement weather, a public emergency, evacuation or excessive smoke. Please refer to the County Evacuation Policy for county evacuation procedures.
9. **Refunds**

The Parks Supervisor or designee shall issue refunds for the use of the Park (when charged) on the following basis:

- If the Parks department cancels a reservation, due to no fault of the User, such as a natural disaster or public health emergency, a full refund shall be issued.

- If a cancellation is requested from the Park User more than one week before the reservation, a full refund shall be issued.

- If a cancellation is requested from the Park User within one week of reservation, a twenty-five dollar ($25) handling fee shall be deducted from the original fee charged.

- No refunds will be issued for cancellation less than 48 hours from scheduled event.

All refunds authorized by this section shall be issued in the regular course of the business of the County.

10. **Fees Established**

The Board of County Commissioners shall establish fees for use of County parks and facilities as needed or as required. See Attachment B: Placerville Park Priority Uses and Fee Structure.
Appendix

Attachment A: Site Map of Placerville Park
Attachment B: Placerville Park Priority Uses and Fee Structure
Attachment C: Placerville Park Reservation Request Form