



Ordinance Number: 990

AN ORDINANCE OF THE CITY OF ROCKY FORD AMENDING CHAPTER 8 OF THE ROCKY FORD MUNICIPAL CODE BY THE ADDITION OF A NEW ARTICLE 6 CONCERNING UTILITY TERRAIN VEHICLES

NOW THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKY FORD, COLORADO:

Section 1. Chapter 8 of the Rocky Ford Municipal Code is hereby amended by the addition of new Article 6, titled "UTV Regulations" to read as follows:

Sec. 8-6-10. – Definitions.

A. Utility Terrain Vehicles ("UTV") shall have the same meaning as off-highway vehicles in C.R.S. § 33-14.5-101, as may be amended, except the term shall not include all-terrain vehicles as that is defined in C.R.S. § 42- 6-102, as may be amended.

B. Public Road shall mean any road, street, alley, avenue, thoroughfare, public way, or other public property unless otherwise posted as prohibiting UTVs, within the City.

Sec. 8-6-20. – Permit Required.

A. A permit issued by the City is required to operate a UTV in the City. All permits shall expire annually on June 1, unless renewed. Each UTV must have a permit. Permits may only be issued by the City upon inspection by the Chief of Police, or their designee.

B. UTV Owners must provide the following:

- (1) Bill of sale, title of vehicle or proof of ownership;
- (2) Proof of current insurance; and
- (3) Valid driver's license (a valid driver's license will be required to operate an ATV/OHV on the streets and alleys of the city.)

C. City-issued permit stickers must be displayed, in a clearly visible manner, on the rear bumper of the UTV at all times.

D. Permit fees shall be paid to the City at the time of permit issuance in an amount set by resolution of the City Council.

Sec. 8-6-30. – Permitted Acts.

It shall be lawful to operate an UTV on all public roads within the City, except public roads that are a part of the state highway system, provided that:

A. The operator of the UTV has in his or her possession a valid motor vehicle driver's license or operator's license;

B. When operated on any public road in the City, off-highway vehicles shall be considered to be "motor vehicles" as defined in the Colorado Motor Vehicle Financial Responsibility Law, Article 7 of Title 42, C.R.S., and shall be required to maintain, and produce upon request by any law enforcement officer, liability insurance equal to at least the minimum amount required by law;

C. The operator and any passengers comply with all provisions of this Chapter.; and

D. The UTV is currently registered with the State Division of Parks and Wildlife.

Sec. 8-6-40. – Safety and Equipment

No UTV shall be operated on any public road within the City except in accordance with the following equipment:

A. Helmet use, as defined in C.R.S. § 42- 4-1502, as amended, is required for UTV operators and passengers, under the age of 18, unless a passenger is properly contained in a child restraint system and the UTV is designed to support a child restraint system.

B. Eye protection, in the form of goggles or eye glasses with lenses made of safety glass or plastic, is required for all UTV operators and passengers, except if a person is wearing a helmet containing eye protection made of safety glass or plastic, or the UTV has a windshield installed.

C. UTVs shall not be operated with more occupants than the number of occupants it is designed to carry.

D. Safety belts, as defined by C.R.S. § 42-4-236(1)(b), as amended, are required if safety belts are installed on the UTV.

G. A functioning speedometer.

H. A functioning muffler in compliance with the requirements of the State Division of Parks and Wildlife.

J. All other safety equipment required by state law or by rule promulgated pursuant to state law.

K. UTVs shall only be driven between the hours of sunrise and sunset unless the UTV has the following equipment:

- 1) At least one headlamp having minimum candlepower of sufficient intensity to reveal persons or objects at a distance of at least one hundred (100) feet ahead under normal atmospheric conditions. Such headlamp shall be aimed so that glaring rays are not

projected into the eyes of operators in oncoming vehicles when operated on a straight level surface.

- 2) At least one red tail lamp having a minimum candlepower of sufficient intensity to exhibit a red light plainly visible from a distance of five hundred (500) feet to the rear under normal atmospheric conditions that are actuated upon application of the foot brake.
- 3) Lamps in the front and rear for the purpose of indicating an intention to turn either to the right or left visible from not less than one hundred (100) feet ahead or from the rear under normal atmospheric conditions.
- 4) A reflective slow-moving vehicle emblem provided for by state statute, properly mounted on the rear of the UTV.

Sec. 8-6-50. - Designation of Public Roads and Crossing of Highways.

A. UTV shall be allowed to operate on all public roads within the City, except the following:

1. U.S. Highway 50 (Swink and Elm Avenues)
2. CO 71 (12th Street South of U.S. Highway 50)
3. CO 266 (12th Street North of U.S. Highway 50 and Catalpa East of 12th Street); and
4. CO 202 (2nd Street South of U.S. Highway 50 to Walnut Avenue)

B. The public roads listed above may be crossed by an operator of a UTV only if the crossing is made at a ninety-degree angle to the highway and only after coming to a complete stop, following all traffic rules, and yielding to vehicles and pedestrians which constitute an immediate hazard to such crossing.

Sec. 8-6-60. – Violations.

A. It shall be unlawful for any person to operate an UTV on any public road in violation of the regulations of Title 42, C.R.S. pertaining to the movement of traffic on roadways within the City.

B. It shall be unlawful for any person to operate an UTV on any public road traveling at a speed greater than the posted speed.

C. It shall be unlawful for any person to allow, authorize, suffer or permit an UTV owned or belonging to him or her, or that is under his or her control, to be operated by any other person in violation of this Chapter.

Sec. 8-6-70. – Penalties.

A. Any person convicted of a violation of this Chapter shall be subject to a fine not less than twenty-five dollars (\$25.00) and not to exceed five hundred dollars (\$500. 00), in addition to surcharges and other costs assessed, for each separate violation.

B. The city shall revoke the registration of any owner who is convicted of three (3) or more violations of any city or state traffic laws within one (1) year.

C. The city shall revoke the registration of any owner who is convicted of Driving Under the Influence (DUI) or Driving While Ability Impaired (DWAI) as defined by C.R.S. § 42-4-1301 while operating a UTV within the City.

D. Revocations of a UTV permit shall be for 1 year except that a 3rd or subsequent revocation would be permanent.

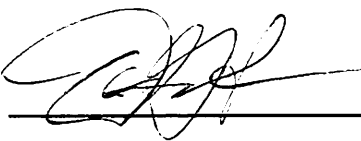
Sec. 8-6-80. – Limitation of Liability.

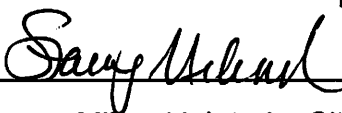
Nothing in this section shall be construed as an assumption of any duty of care by the city with respect to, or the assumption of any liability by the city for any injuries to persons or property which may result from the operation of an ATV/OHV on the streets within the city limits.

Section 2. Severability. If any section, subsection, paragraph, clause or other provision of this Ordinance for any reason is held to be invalid or unenforceable, the invalidity or unenforceability of such section, subsection, paragraph, clause or other provision shall not affect any of the remaining provisions of this Ordinance, the intent being that the same are severable.

PASSED on the first reading the 22 day of July, 2025.

ADOPTED this 14 day of October, 2025.

By: 
Duane L. Gurulé, Mayor

Attest: 
Stacey Milenski, Interim City Clerk