

AN ORDINANCE TO AMEND SECTIONS 11-4-7 AND 15-1-10 C.2.
OF THE TOWN CODE OF SILVERTON, COLORADO

WHEREAS, the current Town Code prohibits the presence of horses in any of the town parks and recreation areas and on Greene Street between Seventh (7th) and Fourteenth (14th) Streets;

WHEREAS, the Town Board of Trustees of the Town of Silverton, Colorado desires to allow horses in the town parks and recreation areas by special permit issued administratively; and

WHEREAS, the Town Board desires to allow horse-drawn carriages to be driven on Greene Street upon issuance of a Use Subject to Review Permit, and to allow horses to be ridden on Greene Street for special occasions by special permit issued administratively;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SILVERTON, COLORADO, that:

1. Section 11-4-7 Animals in Public Parks be amended to read:

"It shall be unlawful for any person, not holding a valid special use permit issued by the town's administration office, to ride, lead, tether, or graze any horse, mule, sheep, or other livestock in any public park, recreation area, or cemetery, and such offense shall be punishable in the same manner as any other Town Ordinance. The Town Administration Office is authorized to issue special use permits, after payment of a special use permit fee as established by resolution of the Town Board, to allow horses in any public park, recreation area, or cemetery, provided the following conditions are met:

- a. The permit is issued for a special occasion (i.e. wedding, anniversary, etc.);
- b. No more than five (5) horses are allowed at any time, and the horses are confined to established pathways;
- c. The horses are diapered to prevent manure deposits, or the permit holder posts a one hundred dollar (\$100) cash bond, in addition to all other required deposits, with the Town. The cash bond will be refunded if the horses do not travel off established pathways, there is no damage to the park or recreation area by the horses, and the area is cleaned of any and all manure within four (4) hours after the horses exit the park, recreation area, or cemetery."

2. Section 15-1-10C.2. is amended to read:

"a. Horses, asses, and mules may be ridden within the limits of the Town of Silverton with the exceptions of Greene Street between Seventh (7th) and Fourteenth (14th) Streets, and Twelfth (12th) Street between Mineral and Greene Streets which may be ridden on only if authorized by a special use permit issued by the town administration office. Horse drawn carriages may be operated within the limits of the Town of Silverton, provided the operator has a valid Use Subject to Review Permit; a valid Business License; the operator shows proof of liability insurance in the amount of one hundred fifty thousand dollars (\$150,000) single limit liability and six hundred thousand dollars (\$600,000) aggregate, naming the Town as additionally insured; and the horses are diapered to prevent manure deposits on the street. If the carriage unit is equipped with battery powered lights on the front and rear of the carriage unit, horse drawn carriages may operate after sunset and before sunrise provided the lights are turned on anytime the carriage is moving on public right-of-ways. Furthermore, the carriage operator must comply with all applicable provisions of the Model Traffic Code; the operator can only load passengers only at the operator's designated business location, excepting that passengers may be picked-up on a reservation basis from any location in town; and passengers may be dropped off at any location in town provided the carriage is not standing on the traveled portion of the street or sidewalk right-of-way.

"b. The Town Administration Office is authorized to issue special use permits, after payment of a special use permit fee as established by resolution of the Town Board, to allow persons to ride horses on Greene Street between Seventh (7th) and Fourteenth (14th) Streets and on Twelfth (12th) Street between Mineral and Greene Streets provided the following conditions are met:

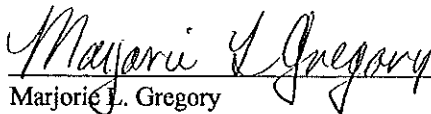
- (1) The permit holder is an outfitter currently registered with the State of Colorado;
- (2) The permit holder has a valid Use Subject to Review Permit and Business License issued by the Town;

- (3) The ratio of trained outfitter employees to other riders in the group is not less than 1/5;
- (4) The ride is for a special occasion (i.e. wedding, anniversary, etc.), and the ride on Greene Street or Twelfth Street will not exceed a one hour time period;
- (5) The ride will not take place before sunrise or after sunset; and
- (6) The permit holder is responsible for cleaning up any and all manure from the route of travel on Greene Street and/or Twelfth Street, as applicable, immediately after the ride ends."

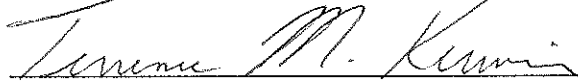
ADOPTED this 15th day of October, 1996.

ATTEST:

TOWN OF SILVERTON



Marjorie J. Gregory
Town Clerk-Treasurer



Terrence M. Kerwin
Mayor