

Ordinance No. 25-02

**BEFORE THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GILPIN
AN ORDINANCE DESIGNATING NON-TRUCK ROUTES**

WHEREAS, pursuant to C.R.S. §42-4-111(1)(g) the Board of County Commissioners of the County of Gilpin has the authority to designate truck routes within the county; and

WHEREAS, the Gilpin County Board of County Commissioners (hereinafter "Board") has determined that the designation of a truck route is necessary and in the best interests of the health, safety, and welfare of the residents and visitors of Gilpin County; and

WHEREAS, C.R.S. § 30-15-401(1)(h) authorizes a Board of County Commissioners to adopt Ordinances which control and regulate the movement and parking of motor vehicles on public property; and

WHEREAS, C.R.S. § 42-4-106(1) provides that local authorities with respect to highways under their jurisdiction may by ordinance or resolution prohibit the operation of vehicles upon any such highway or impose restrictions as to the weight of vehicles to be operated upon any such highway, for a total period of not to exceed ninety days in any one calendar year, whenever any said highway by reason of deterioration, rain, snow, or other climatic conditions will be seriously damaged or destroyed unless the use of vehicles thereon is prohibited or the permissible weights thereof reduced; and

WHEREAS, C.R.S. § 42-4-106(3) provides that local authorities, with respect to highways under their jurisdiction, may also, by ordinance or resolution, prohibit the operation of trucks or commercial vehicles on designated highways or may impose limitations as to the weight thereof, which prohibitions and limitations shall be designated by appropriate signs placed on such highways; and

WHEREAS, the Board of County Commissioners finds that certain County roads may be substantially damaged by vehicles that exceed the gross vehicle weight limit set out herein; and

WHEREAS, C.R.S. § 42-4-106(8)(a) provides that any person who violates any provision of this section commits a class B traffic infraction; and

WHEREAS, Gilpin County recognizes the importance of notifying adjacent jurisdictions of the implementation of such traffic regulations to ensure effective coordination and minimize disruptions to regional transportation systems; and

WHEREAS, the Board of County Commissioners of Gilpin County finds and determines that the adopting of this Ordinance is necessary to protect the public health, safety, and welfare.

NOW THEREFORE BE IT ORDAINED, by the Board of County Commissioners of the County of Gilpin, State of Colorado, that the following Ordinance shall be enacted:

1. **PURPOSE AND INTENT.** The purpose of this Ordinance is to establish designated non-truck routes within Gilpin County in order to:
 - 1.1. Facilitate the efficient and safe movement of traffic through the county;
 - 1.2. Minimize the impact of large vehicle traffic (vehicles that are classified as Class 7 or above) on residential areas, sensitive environmental areas, and other inappropriate locations;
 - 1.3. Protect the county's infrastructure, including roads and bridges, from excessive wear and damage caused by heavy truck traffic; and
 - 1.4. Promote the overall safety and well-being of the residents of Gilpin County.
2. **DEFINITIONS.** For the purpose of this Ordinance, the following definitions shall apply:
 - 2.1. "Commercial vehicle" means a vehicle used to transport cargo or passengers for profit, hire, or otherwise to further the purpose of a business or commercial enterprise. Commercial vehicle does not include emergency first response vehicles, road construction or repair vehicles or equipment that are used to maintain, repair, or improve the non-truck route, or vehicles used for repair of utilities accessed by way of the non-truck route.
 - 2.2. "Declared gross vehicle weight" means the combined weight of the vehicle or combination vehicle and its cargo when operated on the public highways of this state. Such weight shall be declared by the vehicle owner at the time the vehicle is registered. Accurate records shall be kept of all miles operated by each vehicle over the public highways of this state by the owner of each vehicle.
 - 2.3. "Empty weight" means the weight of any motor vehicle or trailer or any combination thereof, including the operating body and accessories, as determined by weighing on a scale.
 - 2.4. "Large Vehicle" means a commercial vehicle with a vehicle class of 7 or above.
 - 2.5. "Non-Truck Route" means the designated routes established in Section 3 of this Ordinance, which trucks and/or Large Vehicles are prohibited from traveling on without the proper permit.
 - 2.6. "Official traffic control devices" means all signs, signals, markings, and devices placed or displayed by the authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic.
 - 2.7. "Police officer" means every officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.
 - 2.8. "Semitrailer" means any wheeled vehicle, without motor power, designed to be used in conjunction with a laden or unladen truck tractor so that some part of its own

weight and that of its cargo load rests upon or is carried by such laden or unladen truck tractor and that is generally and commonly used to carry and transport property over the public highways.

2.9. “Sensitive Environmental Area” means any area identified in Gilpin County’s Comprehensive Master Plan or by the Colorado Department of Natural Resources as having significant ecological, wildlife, or natural resource value.

2.10. “Trailer” means any wheeled vehicle, without motive power, which is designed to be drawn by a motor vehicle and to carry its cargo load wholly upon its own structure and that is generally and commonly used to carry and transport property over the public highways.

2.11. “Truck” means any motor vehicle equipped with a body designed to carry property which is generally and commonly used to carry and transport property over public highways.

2.12. “Vehicle class” as categorized based on their gross vehicle weight is as follows:

Class 1:	less than 6,000 lbs.
Class 2:	6,001 – 10,000 lbs.
Class 3:	10,0001 – 14,000 lbs.
Class 4:	14,001 – 16,000 lbs.
Class 5:	16,001 – 19,500 lbs.
Class 6:	19,501 – 26,000 lbs.
Class 7:	26,001 – 33,000 lbs.
Class 8:	greater than 33,001 lbs.

3. DESIGNATION OF NON-TRUCK ROUTE. Pursuant to the authority granted under C.R.S. § 42-4-111(1)(g), the Gilpin County Board hereby designates the following as the Gilpin County Non-Truck Routes or routes that prohibit Large Vehicles to travel on or across without an Exception Permit pursuant to Section 5 of this Ordinance:

3.1. Beginning at the intersection of CO 119 and Gap Road proceeding the entirety of Gap Road until it exits Gilpin County and enters Jefferson County;

3.2. Beginning at the intersection of CO 119 and South Beaver Creek Road proceeding the entirety of South Beaver Creek Road until it intersects with CO 72; and

3.3. Beginning at 2960 Dory Hill Road proceeding the entirety of Dory Hill Road until it exits Gilpin County and enters the City of Black Hawk and its name changes to Richman Street.

4. REQUIREMENTS AND RESTRICTIONS. All large vehicle traffic classified as a Class 7 or above traveling through Gilpin County are prohibited from using the designated Non-Truck Routes, as set forth in Section 3 of this Ordinance, unless an Exception Permit is granted pursuant to Section 5, or in the following circumstances:

- 4.1. To avoid an emergency or hazardous condition that makes the Non-Truck Routes the only passable routes.
 - 4.2. When directed by law enforcement or emergency personnel.
5. EXCEPTIONS. The Gilpin County Public Works Department may grant an exception to the Non-Truck Routes designation via an Exception Permit. A large vehicle operator or owner must make a showing of good cause to be granted an Exception Permit. Exception Permits may be granted for reasons such as, but not limited to:
- 5.1. To pick up or deliver goods or materials at a specific location off the Non-Truck Routes;
 - 5.2. The Non-Truck Routes are the only passable route due to construction, maintenance, or other temporary conditions;
 - 5.3. The large vehicle is performing essential services (e.g., septic system pumping and repair, that require travel over the Non-Truck Routes; and
 - 5.4. The large vehicle is owned by a resident of a property that takes access from a Non-Truck Route, and the use of the Non-Truck Route is to access the resident's property.

Exception Permit Applications shall be submitted to the Gilpin County Public Works Department. All permit applications shall include the specific reason for the request, the proposed route, the proposed time of travel on Non-Truck Routes, and any supporting documentation. The Gilpin County Public Works Department shall respond to Exception Permit Applications within six (6) business days and may impose any necessary conditions or restrictions on the approved exception. Permit Applications will not be processed until deemed sufficient and all relevant documentation has been submitted by the applicant. Gilpin County Public Works Department will consider an Application accepted and ready for processing as of the start of the next business day after the applicant's submission. Blanket exceptions may be granted for recurring or long-term needs, subject to periodic review and renewal. If Exception Permit is granted to applicant, applicant must keep copy of issued permit in their vehicle while traveling on the Non-Truck Route.

6. ENFORCEMENT AND PENALTIES. The Gilpin County Sheriff's Office shall be responsible for enforcing the provisions of this Ordinance. Any large vehicle found to be in violation of this Ordinance shall be subject to the following fines:

\$500.00	First offense
\$1,000.00	Second offense
\$2,500.00	For each subsequent offense within a twelve (12) month period.

Repeated violations by the same truck operator or owner may result in the revocation of any exception granted pursuant to Section 5. All fines collected pursuant to this Ordinance

shall be deposited in the Gilpin County Public Works Department Fund to support the maintenance and improvement of the designated Non-Truck Routes.

7. SIGNAGE AND NOTIFICATION. The Gilpin County Public Works Department shall be responsible for installing and maintaining appropriate signage along the designated Non-Truck Routes and at key entry points to the County. The County shall develop and implement a communication plan to inform truck and large vehicle operators, local businesses, and residents about the designated Non-Truck Routes and the requirements of this Ordinance.
8. PERIODIC REVIEW AND ADAPTATION. The Gilpin County Board of County Commissioners intends to conduct a comprehensive review of this Ordinance and the designated Non-Truck Routes no later than every five (5) years from the effective date. The review will include the following:
 - 8.1. An analysis of traffic patterns and volumes along the Non-Truck Route;
 - 8.2. An assessment of the economic impact of the Truck Route on local businesses and industries;
 - 8.3. An evaluation of the environmental impacts;
 - 8.4. A review of enforcement data and compliance rates; and
 - 8.5. Consideration of any changes in land use, development patterns, or transportation infrastructure that may affect the Non-Truck Routes.

Based on the findings of the review, the Board of County Commissioners may propose amendments to this Ordinance or modifications to the designated Non-Truck Routes. Any proposed amendments or modifications shall go through the statutory Ordinance process.

9. SEVERABILITY. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of County Commissioners hereby declares that it would have passed this Ordinance, and each section, subsection, clause, and phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases had been declared invalid.
10. EFFECTIVE DATE. This Ordinance shall become effective sixty (60) days after its adoption by the Gilpin County Board of County Commissioner to allow for proper notification and implementation of signage and communication plans.

Introduced and first read this 28th day of October, 2025, and ordered published in full in a newspaper of general circulation published in Gilpin County at least ten (10) days prior to final adoption upon second reading by a vote of 3 to 0.

Approved and adopted upon second reading by a vote of 3 to 0 this 18th day of November, 2025.

ADOPTED this 18th day of November 2025 by a vote of 3 to 0.

BOARD OF COUNTY COMMISSIONERS
OF GILPIN COUNTY

Sandy Hollingsworth, Chair

CERTIFICATION AND ATTESTATION OF THE COUNTY CLERK

Sharon McCormick AKA Sahari McCormick, Gilpin County Clerk and Recorder, hereby certifies and attests that the foregoing Ordinance was introduced and published in full ordered by the Board of County Commissioners of the County of Gilpin on first reading on the 28th day of October, 2025 at a regularly scheduled meeting of the Board of the County Commissioners, and approved on second reading on the 18th day of November, 2025, at a regularly scheduled meeting of the Board of County Commissioners, Gilpin County, Colorado and that said Ordinance was published in full in the Newspaper of Record at least ten (10) days prior to final adoption.

Sharon McCormick, AKA Sahari McCormick
Clerk and Recorder
Gilpin County

A signed and recorded copy of this ordinance is available via the Clerk & Recorder's Office.