



# TOWN OF MOUNTAIN VILLAGE

## TOWN PLAZA

### DRIVING SAFETY GUIDELINES

The Town of Mountain Village strictly limits vehicles on our Town Plazas to insure the safety of our pedestrians and to protect our infrastructure from damage. All vehicles and motorized carts that are permitted to operate on Town's Plaza must obey the Town's plaza access and delivery rules for Mountain Village Plazas, which can be found in our Municipal code (10.10)

Following are some general guidelines for operating a vehicle or motorized cart on Town Plazas

- The speed limit for vehicles or carts operating on Town Plazas is 3 miles per hour, or walking speed. **You must not drive faster than pedestrians are walking.**
- Pedestrians always have the right of way, all vehicles or carts must yield to pedestrians at all times. Passing pedestrians on Town Plazas is not permitted.
- All operators of vehicles or motorized carts on Town Plazas must politely alert pedestrians to their presence using voice, bells, whistles or other appropriate means.
- You must have a valid driver's license to drive on Town Plazas. Citations for violations on Town Plazas could result in points against your state drivers license.
- Operators/Drivers are not permitted to operate a vehicle or motorized cart on Town Plazas in ski or snowboard boots.
- All vehicles and motorized carts must come to a complete stop before exiting Town Plazas and re-entering Town roadways.
- All vehicles and motorized carts must travel on approved routes only.

For more information regarding the Town of Mountain Village Plaza vehicle access, please contact the Plaza Services department at (970) 729-3458 or Code Enforcement at (970)729-3455.

*Thanks for helping keep Mountain Village Safe!*

**CHAPTER 10.10**  
**PLAZA ACCESS AND DELIVERY RULES**  
**FOR MOUNTAIN VILLAGE PLAZA AREAS**

**Sections:**

- 10.10.010 Definitions
- 10.10.020 Purpose
- 10.10.030 Vehicular Use Prohibition
- 10.10.040 Deliveries and Other Access
- 10.10.050 Utility Use
- 10.10.060 Fines and Penalties

### **10.10.010 Definitions**

- A. Authorized Motor Carts. A Motor Cart authorized for use on Village Center Plazas by the Town of Mountain Village.
- B. Authorized Motor Cart Permit. A permit to operate an Authorized Motor Cart issued in accordance with the terms of this Chapter.
- C. Authorized Motor Cart Permit Holder. A person or business issued an Authorized Motor Cart permit in accordance with the terms of this Chapter.
- D. Business License Holder. A person or entity issued a business license in accordance with the Town's Business License Ordinance.
- E. Motor Carts. A small sized, self propelled vehicle such as a golf cart.
- F. Vehicle. A device or structure for transporting persons or things whose source of power is other than manual.
- G. Village Center Plaza. The active open space found in the Village Center (as defined in the Town's Land Use Ordinance).
- H. Vehicular Access. Any use, including driving, towing or parking of a Vehicle on Village Center Plazas. (Ord. 2010-12 § 1)

### **10.10.020 Purpose**

Pedestrian use is the primary intended use of Village Center Plazas throughout the Town of Mountain Village. Vehicular use on Village Center Plazas causes undue wear on Village Center Plazas and reduces the safety of pedestrian uses. All Vehicular Access and uses, unless specifically authorized by this Chapter, shall be unlawful and shall subject anyone violating this Chapter to the fines and penalties as set forth herein. (Ord. 2010-12 § 2)

### **10.10.030 Vehicular Use Prohibition**

It shall be unlawful for any person to use, operate, or park any Vehicle on Village Center Plazas unless specifically authorized by this Chapter. This Chapter expressly revokes any and all types of plaza access permits previously issued by the Town of Mountain Village. (Ord. 2010-12 § 3)

#### 10.10.040 Deliveries and Other Access

- A. All deliveries to locations, residential or commercial, on Village Center Plazas shall be accomplished by the use of dollies, handcarts, and other similar means with inflatable rubber tires, or an Authorized Motor Cart. Merchants, homeowners, and others with a need to deliver materials or perform services on or across Village Center Plazas, are responsible for making all necessary arrangements to receive their goods and/or perform their work in accordance with this Chapter. Vehicle parking areas/delivery zones and other services are located at South Village Center Parking and Drop Off, Centrum Building, Capella Loading Dock and other delivery and parking zones as designated by the Town. Additional parking is available at paid surface parking lots around the Village Center. All delivery Vehicles shall obey posted rules and regulations at such parking areas/delivery zones. All deliveries are encouraged to utilize dollies and handcarts rather than Authorized Motor Carts whenever possible.
- B. Business License holders with primary business locations or delivery needs within the Village Center may apply to the Town (the Town shall designate a specific issuing department) for an Authorized Motor Cart Permit on an annual basis. The Town further reserves the right to restrict, in its sole and absolute discretion, the number of Authorized Motor Cart Permits issued in any given year. Each permit shall only be valid for one Authorized Motor Cart. To qualify for the issuance of an Authorized Motor Cart Permit, the Business License Holder shall meet the following standards:
1. Demonstrate an absolute need for an Authorized Motor Cart by establishing that the delivery of materials or the performance of services cannot be accomplished through the use dollies, handcarts, or other similar devices. The Plaza, Parks and Recreation Department shall determine, in its sole and absolute discretion, whether or not the Business License Holder has adequately demonstrated such need.
  2. The Business License Holder shall sign an acknowledgment agreeing to abide by all rules and regulations set forth in this Chapter or as may be established from time to time by the Plaza, Parks and Recreation Department, and shall agree to indemnify and hold the Town harmless from any loss, damage or other cost or expense occasioned by the Business License Holder's use of the Authorized Motor Cart.
  3. Applicants shall pay the annual application and annual permit fee for an Authorized Motor Cart as established, from time to time, by resolution of the Town Council.
  4. No Business License Holder, or affiliate of a Business License Holder applying for an Authorized Motor Cart Permit, shall have any outstanding debt to the Town and shall not have had any previously issued Authorized Motor Cart Permit revoked by the Town, for any reason.

- C. All Authorized Motor Cart Permit Holders shall operate such Authorized Motor Carts according to the following rules and regulations which may be supplemented or amended from time to time by the Town:
1. All operators of an Authorized Motor Cart shall be listed on the application for an Authorized Motor Cart Permit, which, once issued, may be supplemented once per month during the term of the permit to either add or subtract operators.
  2. All operators, prior to operation of an Authorized Motor Cart, shall read and sign an acknowledgment that they have read and understand the Town Safety Guidelines related to the use thereof.
  3. All Authorized Motor Carts shall not exceed walking speed, which, for purposes of this Ordinance is no more than 3 miles per hour.
  4. All Authorized Motor Carts shall yield pedestrian traffic the right of way at all times and shall follow designated Authorized Motor Cart routes as established by the Town, and shall not remove any bollard or other similar barricade restricting vehicular access and shall access the Village Center Plazas at designated entrance points only.
  5. All Operators of Authorized Motor Carts shall obey all rules and regulations set forth in any other Town Ordinance including, but not limited to, the Land Use Ordinance and model traffic code.
  6. Park in areas, if any, designated by Town staff as Authorized Motor Cart Parking Areas.
  7. All Authorized Motor Carts shall have a ID Card placed on the Authorized Motorized Cart issued by the Town that is readily identifiable when in use.
- D. Operation of an Authorized Motor Vehicle in violation of this Chapter or any rules and regulations subsequently established by the Town pursuant hereto, shall constitute a violation of this Chapter and upon conviction of a violation, subject the permit holder and the offending operator to immediate forfeiture of its Authorized Motor Cart Permit, in addition to the fines and penalties as set forth herein.
- E. Limited Vehicular Access Permits may, at the Town's sole and absolute discretion, be issued for a single use Vehicular Access Permit for a defined period of time, according to the following standards:

1. The applicant shall demonstrate an absolute need for vehicular access, such as, but not limited to, carpet cleaning where the cleaning mechanism is contained within a Vehicle, construction related activities and special event set up and tear down. Town Staff shall determine, in its sole and absolute discretion, whether or not the applicant has adequately demonstrated such absolute need. Vehicles, for which a Limited Vehicular Access Permit are issued shall not exceed 10,000 pounds in weight. Use of such Vehicle shall also be subject to restrictions established, from time to time by the Town, shall include but not be limited to, the use of ¾ inch plywood sheets to distribute weight, the obligation to replace any bollard or similar barricade restricting access immediately upon entering a Village Center Plaza, the use of flaggers as directed by the Town while Vehicles are in motion, the placement of cardboard or similar materials beneath parked Vehicles for collection of any fluid drippings, the use of emergency flashers at all times while on the Village Center Plazas and the placement of cones around such parked Vehicles. Vehicles granted a Limited Vehicular Access Permit shall park in areas designed by Town staff at the time they receive a Limited Vehicular Access Permit.
  2. The applicant shall sign an acknowledgment agreeing to abide by all rules and regulation set forth in this Ordinance, or as may be established from time to time by Town staff, and shall agree to indemnify and hold the Town harmless from any loss, damage or other cost or expense occasioned by the applicant's vehicular use.
  3. Pay the application and permit fee for vehicular use as established, from time to time, by resolution of the Town Council.
  4. Vehicular Access Permits shall not be issued for Vehicles using metal tracks, chains or other materials that may damage the Village Center Plazas.
- F. Emergency vehicular access shall only be allowed to certified public safety officers and organizations such as police, fire, EMS, TSG Ski and Golf Ski Patrol, Town staff and Utility Company vehicles responding to or returning from a call for emergency service.
- G. All construction and building maintenance projects taking place in locations on the Village Center Plazas must first contact the Town's building department and receive a valid building permit with an approved construction staging plan before applying for a Limited Vehicular Access Permit. Notwithstanding the foregoing, an approved construction staging plan and building permit does not, in and of itself, guarantee the issuance of a Limited Vehicular Access Permit.
- H. Recipients of a Special Event Permit issued pursuant to the Town's Special Event Permit Ordinance shall apply for a Limited Vehicular Access Permit only after issuance of a Special Event Permit. Notwithstanding the foregoing, the receipt of a Special Event Permit does not, in and of itself, guarantee issuance of a Limited Vehicular Access Permit. (Ord. 2010-12 § 4)

### **10.10.050 Utility Use**

In the event utility use is desired on a Village Center Plaza, application shall be made to the Town for use of utilities, the use of which shall be subject to a fee at a rate established by the Town for the use of such utilities. In each instance, the Town shall determine, in its sole and absolute discretion, whether or not an applicant has demonstrated sufficient need for the use of such utilities. (Ord. 2010-12 § 5)

### **10.10.060 Fines and Penalties**

- A. Court Conviction. Any person charged with a violation of this Ordinance which results in a Municipal Court conviction shall be subject to the following penalties: First conviction a fine of not less than One Hundred Dollars (\$100.00) nor more than Two Hundred Dollars (\$200.00); second conviction a fine of not less than Two Hundred Dollars (\$200.00) nor more than Three Hundred Dollars (\$300.00); third conviction and each subsequent conviction thereafter a fine of Three Hundred Dollars (\$300.00), imprisonment in the County Jail for not more than ninety (90) days, or both.
- B. Penalty Assessment for Plea of Guilty (a) Any person charged with a violation of this Ordinance, may, instead of defending against the prosecution thereof, elect to pay a penalty assessment according to the following schedule: The first conviction shall result in a fine of Fifty Dollars (\$50.00); the second conviction shall result in a fine of One Hundred Dollars (\$100.00); upon the third conviction within a single twelve (12) month period, the alleged offender must appear before the Municipal Judge.. (Ord. 2010-12 § 6)

RE: Motorized Cart Permit

I have received and read the following items related to driving safety of motorized carts:

- Town of Mountain Village Town Plaza Guidelines
- Town of Mountain Village Ordinances 10.10.010 – 10.10.060

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Print Name: \_\_\_\_\_