

**ORDINANCE NO. 2014-01**

**AN ORDINANCE OF THE  
BOARD OF COUNTY COMMISSIONERS OF OURAY COUNTY, COLORADO  
ESTABLISHING REGULATIONS FOR NON-COMMERCIAL CAMPING**

**WHEREAS**, the Board of County Commissioners has authority pursuant to C.R.S. 30-11-101, 30-28, 102, 30-28-115, and 30-28-116 to promulgate regulations governing zoning and land use and to promote the health, welfare and safety of the inhabitants of the county; and

**WHEREAS**, non-commercial camping is permitted as a use by right in all Ouray County zoning districts except the Colona district; and

**WHEREAS**, the definition of non-commercial camping in the Ouray County Land Use Code has led to confusion and varying interpretations for implementation; and

**WHEREAS**, Board respects the rights of private property owners to use and enjoy their property, but desires to ensure that non-commercial camping is conducted in a manner that protects the health and safety of residents and visitors in the County;

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF OURAY COUNTY, COLORADO:**

**Section 1. Title.**

This Ordinance shall be known and referred to as the "Ouray County Non-Commercial Camping Ordinance" and may be cited and referenced as such.

**Section 2. Authority.**

This Ordinance is authorized pursuant to, inter alia, Colorado Revised Statutes 30-11-101, 30-28-102, 30-28-115, and 30-28-116.

**Section 3. Purpose.**

The Board of County Commissioners of Ouray County, Colorado, finds and declares that non-commercial camping is a use by right in all but one zoning district in Ouray County, and, as such, is an acceptable use of private property, so long as certain sanitation requirements are met.

**Section 4. Scope of Ordinance.**

This Ordinance shall apply within the unincorporated territory of Ouray County, Colorado.

**Section 5. Definitions.**

Non-commercial Camping is defined as:

**NON-COMMERCIAL CAMPING.** Overnight, short-term, and long-term occupancy when:

- a) No fee (except a trespass fee for hunting or fishing or an outfitters fee) is paid or charged for such occupancy, and
- b) Such occupancy is in conformance with any applicable State or Federal regulations, and
- c) Written permission from the owner of the tract occupied has been obtained, and
- d) Adequate sanitation is available, and
- e) The property being occupied is properly kept and cared for, and
- f) A Long-term Camping Application has been approved by Ouray County, if occupancy exceeds 30 days in a calendar year, and
- g) The parcel or lot size exceeds 3 acres in size for long-term camping.
- h) No more than 1 (one) long-term camping permit consistent with occupancy of the underlying zone, may be issued per parcel.

**Section 6. Application Required for Non-commercial Camping Beyond Thirty (30) Days.**

1. Non-commercial camping for more than thirty (30) days may be approved by the Land Use Staff upon application by the person wanting to camp in excess of thirty (30) days on a form to be provided by the Land Use staff, similar to the form attached hereto as Exhibit A.
2. Anyone applying to engage in non-commercial camping for more than thirty (30) days shall demonstrate to the satisfaction of the Land Use staff, county building inspector, or the Director of Public Health, that adequate sanitation or sewage facilities are available and will be used to ensure that domestic waste is not left on or in the ground, or in contact with surface or ground water.
3. Acceptable sanitation facilities may include, but are not limited to, an engineered and county approved septic system; a compost waste disposal system; or a temporary and portable toilet which is subject to regular maintenance as recommended by the manufacturer; or such other sanitation system approved by the building inspector or the public health director.
4. The thirty (30) day period for non-commercial camping without application shall be any thirty (30) days in a calendar year, consecutive or cumulative
5. Non-commercial camping will be done in such a fashion as to not become a nuisance for others, public, or wildlife.

**Section 7. Violation.**

It shall be unlawful for any person to violate any provision of this Ordinance.

**Section 8. Enforcement and Penalties**

The Board may seek an injunction or other equitable relief in court to enjoin any violation of this Ordinance and may recover the costs of such actions. The County may seek such criminal or civil penalties as are authorized by Colorado law, including as provided in C.R.S. 30-15-402. Each day of violation may be considered a separate violation. Each violation may result in a fine up to \$1,000.

The Ouray County Sheriff shall enforce any criminal penalties as may be authorized under Colorado law. Except as may otherwise be provided by Colorado law, all prosecutions for violations of this Ordinance shall be by the Seventh Judicial District, District Attorney.

The remedies available under Colorado law for violation of this Ordinance shall be cumulative and in addition to any other remedy which may be available to the Board or the County. Nothing contained herein shall be construed to preclude the Board from seeking such other remedies in addition to, or in lieu of, the legal remedies granted herein.

**Section 9. Severability.**

If a Court of competent jurisdiction shall hold any part of this Ordinance void or unconstitutional, such part shall be deemed severable, and the invalidity thereof shall not affect the remaining provisions of the Ordinance.

**Section 10. Disposition of Fines, Fees and Forfeitures.**

Unless otherwise provided by law all fines and penalties, and the surcharges thereon, for the violation of this Ordinance shall be paid into the treasury of Ouray County.

**Section 11. Effective Date.**

This Ordinance shall be effective on July 28, 2014 and shall remain in effect until such time as this Ordinance is amended, temporarily suspended or repealed.

**Section 12. Interpretation.**

This Ordinance shall be so interpreted and construed as to effectuate its general purpose. Section headings of the Ordinance shall not be deemed to govern, limit, modify or in any manner affect the

scope, meaning or extent of the provisions of any article or section thereof.

**Section 13. Certification.**

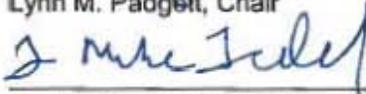
The Ouray County Clerk and Recorder shall certify to the passage of this Ordinance and make not less than three copies of the adopted Ordinance available for inspection by the public during regular business hours.

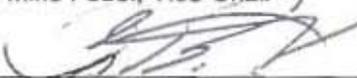
INTRODUCED AND FIRST READING on JUNE 10, 2014 and first reading continued until JUNE 24, 2014 and on such date ordered published in the *OURAY COUNTY PLAINDEALER*.

Published on JUNE 12, 2014.

**Board of County Commissioners  
Ouray County, Colorado**

  
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Lynn M. Padgett, Chair

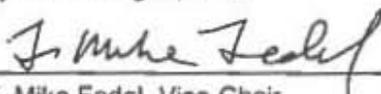
  
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F. Mike Fedel, Vice-Chair

  
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Don Batchelder, Commissioner Member

ADOPTED ON SECOND AND FINAL READING on June 24, 2014

**Board of County Commissioners  
Ouray County, Colorado**

  
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Lynn M. Padgett, Chair

  
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F. Mike Fedel, Vice-Chair

  
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Don Batchelder, Commissioner Member

CERTIFICATION BY OURAY COUNTY CLERK AND RECORDER:

I, Michelle Nauer, Clerk and Recorder of Ouray County and Clerk to the Board of County Commissioners, do hereby attest and certify that this Ordinance was

INTRODUCED AND READ ON JUNE 10, 2014 AND CONTINUED TO  
JUNE 24, 2014 AND READ AND ORDERED PUBLISHED AT SUCH REGULAR MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS.

THE ORDINANCE WAS PUBLISHED IN FULL IN THE *OURAY COUNTY PLAINDEALER* ON  
JUNE 12, 2014 ALONG WITH A NOTICE OF PUBLIC HEARING.

ADOPTED AND APPROVED AT A PUBLIC HEARING OF THE BOARD OF COUNTY  
COMMISSIONERS ON JUNE 24, 2014, AFTER THE SECOND AND FINAL READING OF  
THE ORDINANCE.

PUBLISHED AFTER ADOPTION IN THE *OURAY COUNTY PLAINDEALER* ON  
THE 26 DAY OF JUNE, 2014.

  
Michelle Nauer  
Clerk and County Recorder