Roaring Fork Transportation Authority Rail Corridor and Trails Rules and Regulations

ARTICLE 1 - RESTRICTIONS ON TRAIL USE

The following restrictions apply to all trails built or maintained by RFTA and the 34 mile rail corridor, previously known as the Aspen Branch of the Rio Grande and Western rail line, running between Glenwood Springs and Woody Creek, in which RFTA has a property right including fee simple ownership and railroad easement (the "Rail Corridor"), and to all trail easements and rights of way under the jurisdiction of RFTA.

1.1 Motorized vehicles restricted. No motorized vehicles whatsoever, including automobiles, trucks, farm or agricultural vehicles, motorcycles, motorbikes, motor scooters, go-carts, golf carts, snowmobiles, class 2 and 3 electric bicycles ~~motorized bicycles~~, motorized skateboards, mopeds or all-terrain vehicles will be allowed on any RFTA trail or Rail Corridor at any time. The following vehicles and uses are exempted from this prohibition:

1.1a Government maintenance vehicles, ambulance, law enforcement, fire or other emergency vehicles will be allowed to enter onto RFTA trails in the course of carrying out their normal duties.

1.1b Snowmobiles or snowcats may be allowed onto RFTA trails to set cross-country ski tracks or to otherwise install or maintain Nordic trails.

1.1c Construction or maintenance vehicles owned and operated by private contractors may enter onto RFTA trails subject to specific permission.

1.1d Agricultural, ranch or personal vehicles belonging to specific owners, their employees or assigns, may enter onto RFTA trails subject to the terms of easements or agreements between RFTA and individual landowners.

1.1e Class 1 electric bicycles, also known as E-bikes, are allowed on the Rio Grande Trail from Emma Road to 23rd Street in Glenwood Springs.

1.2 Allowed Uses. Bicycles, pedestrians, skates, skateboards, non-motorized scooters, and baby strollers are allowed on all trails at all times unless specifically prohibited and posted otherwise. All trail users will travel at safe speeds at all times.

1.3 Right of Way. In areas of mixed use, i.e. horses, bicycles and pedestrians, equestrians have the right of way in all circumstances. All traffic is to yield to equestrians. Bicycle or other wheeled traffic is to yield to pedestrians.

1.4 Fires Prohibited. Fires are prohibited at any location and at all times within the Rail Corridor, trails, trail easements or trail facilities, including, but not limited to, parking areas, trail shoulders and borders, bridges and structures. The burning of noxious weeds or vegetation is exempted.

1.5 Trespass Prohibited. It is prohibited to trespass from trails onto adjacent private lands except where specifically authorized by the owners or occupants of private lands.

1.6 Equestrian Use. Equestrian use is restricted to unpaved trail areas unless otherwise posted. Horse traffic is restricted to walk or trot speeds. Horses must be under control at all times. Buggies, carts, or other horse-drawn vehicles are prohibited from all trails.

1.7 Stop Required. Trail users shall stop at all road and driveway crossings and yield to any motorized traffic, except where the trail or Rail Corridor takes precedence over a driveway crossing, in which case driveway users shall yield to trail or Corridor users. Trails and highways will be posted with informational signs designating intersections.

1.8 Dogs on Leashes. Dogs on trails must be leashed at all times.

ARTICLE 2 - RESTRICTIONS ON RFTA TRAILS AND RAIL CORRIDOR

The following restrictions apply to all RFTA trails and the Rail Corridor. These restrictions also apply to public use provided in any conservation easement held by Roaring Fork Transportation Authority, unless superseded by the specific terms of the conservation easement in question. Nothing contained herein limits or otherwise modifies rights reserved to the owner of fee simple property subject to a conservation easement held by Roaring Fork Transportation Authority.

2.1 Camping Prohibited. Overnight camping is prohibited on Rail Corridor and RFTA Trails Properties.

2.2 Commercial Activities Limited. Commercial activities, provision of services, or any activity for which a fee may be charged are prohibited on any Rail Corridor land except when specifically authorized. The exception to this will be the loading or unloading of horses, bicycles or other conveyances or persons at trailheads pursuant to use of the RFTA trail or Rail Corridor or other public trail systems.

2.3 Closed Areas. Entry onto or use of Rail Corridor lands posted as closed is prohibited.

2.4 Fires Restricted. Fires are prohibited in all locations within the Rail Corridor at all times. It is unlawful to burn fires in any location at any time in a careless manner, to leave a fire unattended, to burn any explosive or toxic materials, or to fail to extinguish fires completely.

2.5 Hang-Gliding Restricted. Hang-gliding or operation of any motorized or non-motorized aircraft, glider, parachute, paraglider, or balloon for landing or take-off is prohibited.

2.6 Motorized Vehicles Restricted. Motorized vehicle are restricted to parking areas, driveways and other areas specifically posted for motor vehicle occupancy. The exception to this shall be RFTA or other maintenance or construction vehicles specifically authorized for access, emergency vehicles acting in the line of duty, or private vehicles specifically authorized by RFTA.

2.7 Domestic Livestock Prohibited. Domestic livestock is prohibited on RFTA trails and Rail Corridor properties except where specifically permitted pursuant to an agricultural lease. It is unlawful to chase or molest any livestock using RFTA properties. All gates, fences, and other entry points must be closed in areas where livestock is permitted.

2.8 Firearms Prohibited. It is forbidden to discharge firearms or projectile weapons of any kind including paint ball guns on any RFTA Rail Corridor or trails properties. The exception to this will be law officers discharging weapons in the line of duty.

2.9 Hunting Prohibited. All Rail Corridor and Trails Properties are closed to hunting unless specifically authorized. Hunters may cross the Rail Corridor to access adjacent public lands. .

2.10 Disorderly Conduct Prohibited. Disorderly conduct of any kind is prohibited on the Rail Corridor and trails properties. Disorderly conduct includes, but is not limited to, making any coarse, annoying, derisive or obviously offensive utterance, gesture or display which tends to incite an immediate breach of the peace. Also fighting, littering or abandonment of private property, making excessive or amplified noise that would tend to disturb the peace and quiet of adjacent residents or occupants, or any other activity that deliberately infringes on the ability of others to use or enjoy the trail or trails facilities.

2.11 Hazardous Activities Prohibited. Hazardous activities of any kind are prohibited on the Rail Corridor and Trails Properties. Hazardous activities are defined as those activities, which might constitute or contribute to a hazard to the safety of any person. Such activities include, but are not limited to, use of fireworks or other explosives, use of remote-controlled craft, launching of missiles, and sledding. Exceptions or additions to these restrictions may be made in specific locations or circumstances.

2.12 Boating Restricted. Boat launching and landing is limited to sites designated for that purpose. Boating is limited to free-flowing waterways and is prohibited on intermittent or permanent lakes or ponds on Rail Corridor lands. Man-made structures pursuant to boating such as access ramps, docks, kayak courses, or buoys are prohibited except in locations specifically authorized.

2.13 Vandalism Prohibited. Vandalism, property damage or removal of resources or facilities is prohibited on any Rail Corridor or trails property. It is unlawful to remove, damage, deface, mutilate or destroy any structure, poster, sign, marker, fence, gate furniture, vegetation, rock, or any object of scientific or historic value or interest.

2.14 Dogs and Pets Restricted. Dogs, cats, and other pet animals must be leashed on trails. Posted leash laws or County or municipal laws or ordinances must be obeyed. Owners of uncontrolled dogs observed on the Rail Corridor or trails properties will be subject to being ejected from the trail or Corridor. Dogs or other animals are prohibited in areas specifically posted for such prohibition. Dogs observed molesting or menacing any person, wildlife or livestock may be destroyed. Dog waste must be picked up and disposed of off-site in a safe and sanitary manner by owners or keepers.

2.15 Fishing Restricted. Fishing is permitted according to the regulations of the Colorado Division of Wildlife, except where otherwise posted. A valid fishing license is required. Fishing is restricted to free-flowing waterways and is prohibited in intermittent or permanent ponds or lakes except where expressly allowed. Fishing access is by designated trails only.

2.16 Wildlife Protected. Wildlife is protected on all Rail Corridor and Trails Properties. Hunting, trapping, chasing, molesting, harming, removing, killing or otherwise disturbing wildlife on the Rail Corridor and Trails Properties is prohibited at all times and under all circumstances, with the exception of fishing (See Paragraph 2.15, above). Damaging or destroying the habitat of any species of wildlife is prohibited.

Removing or destroying, native plants, bird or reptile eggs is prohibited. Nothing in this section shall prohibit trapping for research, management and monitoring purposes.

2.17 Littering and Waste Disposal Prohibited. Any disposal, depositing or abandonment of trash, garbage, grass cuttings, brush, tree limbs and branches, yard wastes, litter, waste paper, waste food products, human or animal wastes, toxic materials, oil and other mechanical waste products, animal parts, fire ash or other combustion byproducts, or other waste products on Rail Corridor or Trails Properties other than in designated containers and locations is p r o h i b i t e d .

2.18 Structures and Notices Prohibited. Construction of any kind not specifically authorized by the RFTA Director of Property and Trails or RFTA Corridor Manager is prohibited. Activities prohibited include, but are not limited to, excavations, ground clearing or grading, erection of permanent or temporary structures, erection of signs, posting of bills, notices or posters, fencing or clearing of vegetation, except that clearing of weeds is allowed.

2.19 Alcohol and Tobacco Products Prohibited. All alcohol and tobacco products are prohibited in all locations within the Rail Corridor at all times. Tobacco products are defined as and include but are not limited to, cigarettes, cigars, pipes, illegal smoking materials etc.

ARTICLE 3 – PERMITS AND SPECIAL USES REVIEW STANDARDS

This Article establishes review standards for ***Special Use*** and ***Special Event*** activities involving the Rail Corridor or Trail Properties controlled by The Roaring Fork Transportation Authority (RFTA) ***"Special Use"*** will be defined as any scheduled event involving the trail system that includes a group with ***less than 100*** people. A ***"Special Event"*** will be defined as any scheduled event involving ***more than 100*** people, (i.e. Ride the Rockies, etc.). RFTA may approve, approve with conditions, or deny applications for Special Use and/or Special Events involving the Rail Corridor or Trail Properties.

3.1 Group Requirements. Groups requesting permission to hold Special Use or Special Events on any portion of the RFTA controlled Rio Grande Trail will need to fill out a Special Use/Event Application. The Special Use/Event Application is available online at www.rfta.com. The completed application and all required documentation must be turned in or mailed to:

Roaring Fork Transportation Authority Director of Properties and Trails
0766 Industry Way
Carbondale, Colorado 81623

3.1a Groups with 100 people or less will use the "Special Use" portion of the application and receive a decision from The Director of Properties and Trails, Michael Hermes. Please allow 2 weeks for a decision.

3.1b Groups with more than a 100 people will use the "Special Event" portion of the application and may be referred to the RFTA Board of Directors for approval. Applications must be submitted at least 6 weeks prior to any scheduled event in order to allow time for Board Approval. Please check with the Director of Properties and Trails for available dates and times to meet with the RFTA Board of Directors.

3.1c There will only be one event allowed per day on any RFTA controlled portion of The Rio Grande Trail.

3.1d The representative liable for either a “Special Use” permit or a “Special Event” permit will be required to sign a “Release of Liability” waiver that indemnifies for all time any and all liability against RFTA for any incidents arising out of the use of the RFTA controlled portion of the Rio Grande Trail

3.2 Surety Bond. The RFTA Director of Property and Trails may require the applicant to provide a surety bond in favor of RFTA in the event that a Special Use/ Event Permit is granted; the amount of the bond to be determined by The RFTA Director of Property and Trails and/or his/her designee, upon review of the proposed special use All Financial Security will be held for the duration of any Special Use/Event Permit. Release of the bond will be conditioned upon:

3.2a Compliance. Compliance with the terms of a Special Use/Event permit, regulations, and policies of Roaring Fork Transportation Authority.

3.2b Restoration. The restoration and clean-up of any site impacted by either a Special Use/Event Permit, it’s service worker’s, volunteers, spectators, etc.. Failure to comply with the conditions of the permit authorizes RFTA to withhold the funds necessary to restore the trail and any riparian habitat disturbed within the Rail Corridor.

3.3 Special Events. That will not be allowed on the Rio Grande trail include:

a) Competitive races of any kind including bicycle, equestrian, etc.

b) Competitive time trials of any kind including bicycle, equestrian, etc.

c) Events that interfere with the casual user’s ability to enjoy the trail such as attempts to limit access to the trail and/or close the trail for approved special events

3.3a Compliance. It will be the responsibility of the group’s organizer(s) to minimize the direct or indirect impact on the casual users’ ability to use and enjoy the trail.

3.4 Impact Fee. The RFTA Director of Property and Trails may require the applicant’s agreement to pay a use impact fee which is commensurate with the additional maintenance costs associated with the proposed use.

3.5 Approval. The RFTA Director of Property and Trails shall make a written response to either approve of the proposed Special Use with or without conditions, or disapprove the proposed Special Use, within 30 days of receiving a written request for a Special Use. An applicant may appeal the determination of The RFTA Director of Property and Trails to the RFTA Board of Directors within 15 days of receipt of the determination. The Board of Directors must issue a final determination within 30 days of hearing an appeal pursuant to this section. (Special EVENT applications will require RFTA Board approval and will require 60 days for review and approval or denial.)

3.6 The Special Use/Event Policy. The Special Use/Event policy will be reviewed on an annual basis and either approved for an additional period of time or if necessary adjusted where the Board of Directors determines that adjustments need to be made to clarify and/or simplify the Special Use/Event regulations.

ARTICLE 4 – EASEMENTS AND AGREEMENTS

The terms and conditions of Conservation Covenants or Trail Easements or other approved agreements between RFTA and private property owners, other governments or grantors are incorporated into these regulations by reference. To the extent of any conflict between these regulations and the terms of conservation covenants, conservation easements or trail easements, the terms of such covenants or easements will control. Those terms and conditions shall be enforced under the provisions of this regulation as if they were set forth herein.

ARTICLE 5 – AMENDMENT

These rules and regulations may be amended from time to time by the Roaring Fork Transportation Authority Board of Directors. These rules shall apply to existing Rail Corridor and trails properties and to such trails and Rail Corridor properties as may be acquired by the Roaring Fork Transportation Authority from time to time or designated by RFTA as being subject to these r u l e s .

ARTICLE 6 – VIOLATIONS, ENFORCEMENT AND PENALTIES

6.1 Permission to use Rail Corridor or RFTA Trails Property May be Revoked. Failure to abide by these rules for use of the Rail Corridor and RFTA trails may cause RFTA to revoke permission to use or occupy the property.

6.2 Criminal Enforcement. The Roaring Fork Transportation Authority shall cooperate with local jurisdictions in reporting and enforcing penalties for violations of Federal, State, County and Municipal Codes occurring on the Rail Corridor and RFTA trails.

6.3 Civil Enforcement. In the event of any activity in violation of these Rules and Regulations, the RFTA Attorney, in addition to other remedies provided by law or specified herein, may institute an injunction, mandamus, abatement, or other appropriate action or proceeding to prevent, enjoin, or abate any unlawful activity, or to remove any improvements on construction resulting from such unlawful activity. In the event that such unlawful activity has damaged any RFTA property, the violator shall be liable for any damage to RFTA property resulting from any such unlawful activity, including, but not limited to, compensation for staff time and for use of RFTA equipment to repair such damage. Any civil action or proceeding can include a claim to recover all such money damages.

ARTICLE 7 – POSTING

These regulations, or a summary thereof, will be posted at visible locations on Rail Corridor and RFTA trails properties. Full text of these regulations shall be available for public inspection at the offices of the Rail Corridor Manager or the RFTA Director of Property and Trails.

RFTA
Roaring Fork Transportation Authority