

**CITY OF CENTENNIAL,
COLORADO**

ORDINANCE NO. 2018-O-10

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
CENTENNIAL, COLORADO, REPEALING AND REPLACING SECTIONS
11-7-20 AND 11-7-40 OF THE CENTENNIAL MUNICIPAL CODE
CONCERNING THE REGULATION AND OPERATION OF THE PARKER
JORDAN CENTENNIAL OPEN SPACE**

WHEREAS, the City has the authority pursuant to Section 1.2 of the Centennial Home Rule Charter and C.R.S. Section 31-15-702 to regulate the use of its public parks; and

WHEREAS, the City previously adopted Centennial Municipal Code (the “Code”) Sections 11-7-20 and 11-7-40 regulating, in part, the use and operation of the Parker Jordan Centennial Open Space; and

WHEREAS, those provisions were adopted when the City and the Parker Jordan Metropolitan District (the “District”) shared ownership of the PJCOS as tenants in common with the District acting the manager of the property; and

WHEREAS, upon the District’s conveyance of its interest in the PJCOS to the City, the City is now the 100% fee owner of the PJCOS; and

WHEREAS, the City Council desires to repeal and replace Code Section 11-7-20 and 11-7-40 to reflect that the City is the sole owner and manager of the PJCOS.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CENTENNIAL,
COLORADO, ORDAINS:**

Section 1. The foregoing recitals are affirmed and incorporated herein by this reference as findings of the City Council.

Section 2. Section 11-7-20 of the Centennial Municipal Code is hereby repealed and replaced to read as follows:

Sec. 11-7-20. Exception.

Except for the appropriate legally required permits related to service or sale of alcoholic beverages, as the owner of the parks, the City shall not be required to obtain permits for City-sponsored events in City parks. The prohibitions set forth in this article shall not apply to events that specifically authorize the activity otherwise prohibited or to activities of City personnel and contractors performing work authorized by the City Manager.

Section 3. Section 11-7-40 of the Centennial Municipal Code is hereby repealed and

replaced to read as follows:

Sec. 11-7-40. Parker Jordan Centennial Open Space; Prohibited activities.

- (a) The City may permit uses of the Parker Jordan Centennial Open Space that may waive or modify provisions of this section for the permit holder.

- (b) Within the Parker Jordan Centennial Open Space, it is unlawful to:
 - (1) Fail to comply with the terms of any permit issued by the City for use of the Parker Jordan Centennial Open Space.
 - (2) Violate any City ordinance or state law.
 - (3) Leave the fecal matter of any animal that one owns, possesses, or keeps in any waters within the Parker Jordan Centennial Open Space property or on any portion of such property, except in designated trash receptacles.
 - (4) Permit any dog to run or otherwise fail to keep any dog on a leash.
 - (5) Place or post signs.
 - (6) Camp overnight.
 - (7) Enter or remain in or refuse to leave during those times when the Parker Jordan Centennial Open Space is not open for public use.
 - (8) Deposit, leave or bury refuse, trash or litter except by depositing such refuse, trash or litter in designated trash receptacles. If the receptacles are full, users must remove the litter from the Parker Jordan Centennial Open Space upon departure.
 - (9) Install any structure including, but not limited to, tents, booths, stands, awnings, tree houses, rope swings, inflatable amusements and canopies.
 - (10) Operate remote control or control-line devices in the air, on or in the water, or on the ground.
 - (11) Use any amplified sound system that produces sound audible beyond 25 feet.

- (12) Stick or place any handbill, poster, placard, sticker, or painted or printed matter upon any landscaping, tree, public building, or upon any fence, power or light pole, telephone pole or other public structure.
- (13) Smoke.
- (14) Play or practice any sport except for those sports or activities that are allowed on that portion of the Cherry Creek Trail traversing the Parker Jordan Centennial Open Space.
- (15) Bring into, possess, or have any glass bottle or container.
- (16) Discharge explosives or fireworks or operate or launch model rockets or other devices which use an explosive charge.
- (17) Use any Parker Jordan Centennial Open Space area for any private enterprise or to sell or offer for sale any tangible or intangible goods or services.
- (18) Park motor vehicles overnight.
- (19) Sell, serve, dispense, or consume any alcoholic beverage or 3.2% beer or possess an open container of any alcoholic beverage or 3.2% beer.
- (20) Block, close off, or impair access to any trails or facilities within the Parker Jordan Centennial Open Space without first obtaining a permit from the City of Centennial.
- (21) Hunt, shoot, kill, injure, trap or maim any animal.
- (22) Permit any livestock to graze, or remain to graze.
- (23) Destroy, vandalize, deface or damage any buildings, structures, signs, equipment, fences, gates or locks regulating access.
- (24) Enter, without authorization, those areas and facilities posted or otherwise designated as closed to the general public.
- (25) Knowingly mar, mutilate, deface, disfigure, remove or injure beyond normal use any rocks, trees, shrubbery, flowers, wildflowers or other features of the natural environment.

- (26) Knowingly remove, cut down, uproot, break or otherwise destroy any living trees, shrubbery, flowers, wildflowers or natural flora.
- (27) Build a fire at any location.
- (28) Operate any motor vehicles.
- (29) Knowingly possess an unconcealed firearm of any description, or a concealed firearm of any description, unless authorized to do so pursuant to C.R.S. § 18-12-214, or any air rifle, spring-gun, bow and arrow, sling paintball gun, air soft gun or any other weapon potentially inimical to wildlife or dangerous to human safety, or any instrument that can be loaded with and fire blank cartridges, or any kind of trapping device.
- (30) Shoot into Parker Jordan Centennial Open Space areas from beyond its boundaries.
- (31) Leave designated trails, rest areas or activity spaces.
- (32) Enter areas that the City has designated as sensitive or otherwise restricted access to through the City's placement of fencing or the posting of signs.

Section 4. Severability. If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this Ordinance that can be given effect without the invalid portion, provided that such remaining portions or applications of this Ordinance are not determined by the court to be inoperable. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more section, subsection, sentence, clause, phrase, or portion would be declared invalid or unconstitutional.

Section 5. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

Section 6. Codification Amendments. The codifier of the City's Municipal Code, Municipal Code Corporation, is hereby authorized to make such numerical and formatting changes as may be necessary to incorporate the provisions of this Ordinance within the Centennial Municipal Code.

Section 7. Safety Clause. The City Council hereby finds, determines, and declares that this Ordinance is promulgated pursuant to the City's home rule authority and under the general police power of the City of Centennial, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that this Ordinance bears a rational relation to the proper legislative objective sought to be obtained.

Section 8. Effective Date. Except as otherwise expressly provided herein, the provisions of this Ordinance shall become effective thirty (30) days after publication following final passage.

INTRODUCED, READ, AND ORDERED PUBLISHED BY THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD ON THE 7TH DAY OF MAY, 2018.

CITY OF CENTENNIAL

By: _____
Stephanie Piko, Mayor

Approved as to Form:

For City Attorney's Office

I hereby certify that the above Ordinance was introduced to the City Council of the City of Centennial at its meeting of _____, 2018 and ordered published one time by title only in *The Villager* newspaper on _____, 2018, and in full on the City web site in accordance with Section 2-1-110 of the Municipal Code.

ATTEST:

SEAL

By: _____
City Clerk or Deputy City Clerk

FINALLY ADOPTED, PASSED, APPROVED WITH AMENDMENTS, IF ANY, AND ORDERED PUBLISHED BY TITLE ONLY, IN *THE VILLAGER* NEWSPAPER AND IN FULL ON THE CITY WEB SITE IN ACCORDANCE WITH SECTION 2-1-110 OF THE MUNICIPAL CODE BY THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS MEETING HELD ON THE ____ DAY OF _____, 2018, BY A VOTE OF ____ IN FAVOR AND ____ AGAINST.

CITY OF CENTENNIAL

By: _____
Stephanie Piko, Mayor

I hereby certify that the above Ordinance was finally adopted by the City Council of the City of Centennial at its meeting of _____, 2018, and ordered published by title only, one time by *The Villager* newspaper on _____, 2018 and in full on the City web site in accordance with Section 2-1-110 of the Municipal Code.

SEAL

ATTEST:

By: _____
City Clerk or Deputy City Clerk