

RESOLUTION NO. 24
(Series of 1968)

A RESOLUTION SETTING FORTH THE POSITION
OF THE CITY COUNCIL RELATING TO THE
PURPOSES AND METHODS OF IMPLEMENTING
THE OPEN SPACE AND GREENBELT PROGRAM.

WHEREAS, the City Council of the City of Boulder has carefully reviewed the recommendations of the City Manager with regard to the Open Space and Greenbelt Program and how the same can best be accomplished;

WHEREAS, in the opinion of the City Council the recommendations by the City Manager expressed in a memorandum dated March 12, 1968, entitled "Plan for Implementing the Greenbelt Program" have been approved and the Program will be aided by a clear expression of the Council's position with regard to the same;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO:

Section 1. That the City Council hereby sets forth what it believes to be an appropriate statement of its position regarding the purpose and methods of achieving the Open Space and Greenbelt Program approved by the qualified electorate of this community on November 7, 1967:

(a) Objectives. In the broadest sense the objective of the Open Space and Greenbelt Program is the preservation and protection of the quality of the natural environment which has given Boulder much of its character. Included in this environment are the foothills to the west and the plains beneath them within the Boulder Valley. Within these broad boundaries, the natural areas, characteristic terrains and geological formations, and the flora native to this area, should be preserved and protected for the enjoyment of this and future generations. The lakes and reservoirs located throughout the Boulder Valley should likewise, wherever possible and consistent

with the present uses, be protected and preserved.

As our City continues her growth, open spaces shall be provided and woven into the fabric of urban land use -- residential, industrial and commercial. Open spaces shall define developed areas and neighborhoods, and if desirable, may within certain limits define the boundary of the physical growth of this community. In addition, the preservation of open space in all parts of the City will afford the residents of this community with increased opportunities for recreational activities. Ultimately the concern for the preservation and protection of open spaces shall serve not only as a clear manifestation of the appreciation of the residents of this City for their natural environment, but also as a vital means for improving the quality of life in this community.

(b) Guidelines for Implementation. To implement the Open Space and Greenbelt Program, the City Council wishes to set forth certain broad guidelines which are to be followed in the implementation of the Program:

(1) Use of Greenbelt Funds. Consistent with Ordinance No. 3288, the revenues set aside by said ordinance for the acquisition of open space and greenbelt land shall be expended only for land acquisition including the purchase of easements and options as well as for paying debt service and for the protection of open space and greenbelt land from damages, destruction or impairment.

(2) The City Manager shall explore all methods of preserving open space lands and explore alternatives to the outright acquisition of said lands by the City of Boulder. Illustrative of such alternatives are the following devices:

-- Conservation easements to keep land in an open, natural condition;

- Scenic easements and trail easements;
- Options as a means of preserving for the City future opportunities to acquire land at present day prices;
- Lease-back arrangements whereby land even if purchased by the City can be continued for agricultural or other uses that are not inconsistent with the overall objectives of the Open Space and Greenbelt Program.

(3) The City Manager shall explore and pursue all avenues leading to the contribution of funds from other governmental agencies, such as the State of Colorado and the Federal Government, including private institutions or educational agencies. The City Manager shall also regularly inform other interested governmental agencies such as the County of Boulder of the progress made in the Program and problems experienced to the end of enabling such entities to include into their long-range planning and land use policies the purposes and objectives of the Greenbelt Program.

(4) The City Manager shall further develop recommendations to the City Council, the County of Boulder and other agencies of the State of Colorado to the end of establishing the proper legal devices for lower ad valorem taxes or some kind of relief for those real properties which are continued for such purposes as are consistent with the Open Space and Greenbelt Program.

(c) Use of Open Space and Greenbelt Land. Generally, lands or interests in lands acquired with open space funds shall not be developed for intensive recreational uses nor shall such lands be improved by planting.

(1) Take or carry, or cause to be taken or carried, into any park, recreation area, or open space, any bow, slingshot, pellet gun, BB gun, or any similar mechanical device, designed for the purpose of discharging, shooting, or projecting missiles of any kind.

(2) Discharge a missile from any bow, slingshot, pellet gun, BB gun, or any similar mechanical device.

(c) Nothing in this section shall be interpreted to prevent the use of firearms or other weapons at any shooting range or other area specifically designated by the City Manager for said use, nor shall this section prevent the carrying of any such firearm or weapon, if unloaded, to or from a designated range or area.

(d) The City Manager is authorized to designate and establish areas within any city park or recreation area as proper shooting ranges or hunting areas.

(e) This section shall not be construed to prohibit the possession of a loaded firearm or the discharge thereof for the purpose of defending the defendant's home, person or property, or in the aid of the civil power when thereto legally summoned.

Sec. 22-104. Fireworks.

(a) For the purposes of this section, the term "fireworks" shall mean and include any article, device, or substance prepared for the primary purpose of producing a visual or auditory sensation by combustion, explosion, deflagration, or detonation, including, without limitation, the following articles and devices commonly known and used as fireworks: toy cannons, or toy canes in which explosives are used, blank cartridges, the type of balloon which requires fire underneath to propel the same, firecrackers, torpedoes, skyrockets, rockets, Roman candles, dayglo bombs, aerial shells, sparklers, trick matches, toy caps, torches, fountains, or other fireworks of like construction, and any fireworks containing any explosive or flammable compound, or any tablets or other device containing any explosive substance.

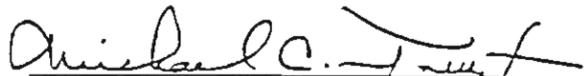
structures or the like from the funds earmarked for the open space program unless such improvements are necessary in order to prevent and protect said open space lands from erosion, destruction or impairment.

(d) Gifts. The City Council hereby wishes to encourage residents of this community and other concerned persons or parties to donate land or monies for the use in the Open Space and Greenbelt Program.

Section 2. The City Council hereby approves the City Manager's decision to appoint a City Manager's Advisory Committee on Open Space.

Section 3. The City Council hereby wishes to express its awareness that major thoroughfares or the extension of water and sanitary sewer services are frequently the forerunners of new urban development. Thus, the extension of such utility services should play an important role in the successful implementation of the Open Space and Greenbelt Program and every effort should be made to coordinate proposals for the extension of these utilities with the purposes and objectives of the Open Space and Greenbelt Program.

INTRODUCED, READ, PASSED AND ADOPTED this 2nd day of April, A. D. 1968.


Acting Mayor

Attest:


Director of Finance and Record
Ex-officio City Clerk