

TOWN OF MINTURN, COLORADO

RESOLUTION NO. 55 – 2008

**A RESOLUTION BY THE COUNCIL OF THE TOWN OF MINTURN, COLORADO
DESIGNATING AREAS FOR HUNTING WITHIN THE BATTLE MOUNTAIN
PLANNED UNIT DEVELOPMENT**

WHEREAS, The Town of Minturn (hereinafter the “Town”) Council, in addition to any authority granted by general or special law, has certain powers and duties contained in Minturn Municipal Code Sec.10-8-90 (4); and,

WHEREAS, on August 27, 2008 Ginn Battle North, LLC, Ginn Battle South, LLC and Ginn-LA Battle One Ltd., LLLP (collectively “the applicant”) made application to the Town to allow hunting on certain areas of the Battle Mountain Planned Unit Development (“PUD”); and

WHEREAS, in accordance with MMC § 16-10-20 (7) hunting is an authorized use within all Character Areas of the Battle Mountain PUD; and,

WHEREAS, the application has been reviewed by the Town Staff which has determined compliance with the criteria of the Municipal Code.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN, COUNTY OF EAGLE, STATE OF COLORADO:

THAT the application for hunting within the Battle Mountain PUD be approved for the following described property:

See Exhibit “A”

Attached hereto and thereby incorporated herein by reference

THAT the application for hunting within the Battle Mountain PUD, be approved for the aforementioned described property **SUBJECT TO COMPLIANCE WITH THE FOLLOWING CONDITIONS:**

1. Discharge of firearms is authorized within those areas noted as “Hunting” on the attached Exhibit A.
2. Hunting shall be restricted to those areas in the “Hunting” zone on the attached Exhibit A which depicts safety buffer zones of a minimum of one-quarter mile from all designated roads, and one-half mile from construction trailers, and construction activity. An exception may be made at the applicant’s discretion permitting archery and muzzle loading hunters to buffer zones no closer than fifty (50) feet from designated roadways.
3. Hunting shall be limited to those expressly authorized by the applicant and shall be limited to no more than twelve (12) hunters at any one time.

4. All employees and contractors working at the Battle Mountain PUD shall be notified when and where hunting activities are occurring.
5. At the applicant's discretion, hunting zones may be restricted to less than all areas designated on Exhibit A.
6. The applicant shall implement all reasonable precautions to ensure that all employees and contractors working on the property shall restrict their activities to those areas (a) outside areas where hunting is permitted to occur, and (b) within buffer zones and roadways in areas where hunting is permitted. The applicant shall require all employees and contractors working on the Battle Mountain PUD to wear brightly colored clothing, and shall require all hunters to wear blaze orange.
7. The applicant shall require all hunters to comply with all rules and regulations of the Colorado Division of Wildlife and any other statutes and regulations of the State of Colorado pertaining to the discharge of firearms, and any and all additional and more restrictive rules that may be implemented at the applicant's sole discretion.

INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this 17 day of September, 2008.

TOWN OF MINTURN

By: Haukeye Flaherty
Mayor

ATTEST:

[Signature]
Town Clerk



EXHIBIT A: Designated Areas for Hunting

