

**ORDINANCE NO. 18
SERIES 2023**

**AN ORDINANCE AMENDING CHAPTERS 11 AND 12 OF TITLE 7 OF
THE VAIL TOWN CODE REGARDING PEDESTRIAN MALL AREAS IN
THE TOWN**

WHEREAS, on August 16, 2022, the Town Council adopted an ordinance revising Title 7 of the Vail Town Code related to pedestrian and vehicular circulation in pedestrian mall areas in the Town (the "Ordinance");

WHEREAS, the Ordinance created a coordinated delivery system to address safety, environmental, and pedestrian experience concerns and provide for the coordinated and efficient delivery of commercial goods in pedestrian mall areas;

WHEREAS, the Ordinance exempted high-volume commercial couriers;

WHEREAS, the Town Council now finds that such exemption is counter to the purpose of the Ordinance and desires to remove it; and

WHEREAS, the Town Council wishes to allow related maps for the Ordinance to be amended administratively.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE
TOWN OF VAIL, COLORADO, THAT:**

Section 1. Sections 7-11-2, 7-11-3 and 7-11-4 of the Vail Town Code are hereby amended as follows:

7-11-2 : PEDESTRIAN MALL AREAS:

Pedestrian mall areas shall be those areas designated as a pedestrian mall on the Vail Village Pedestrian Mall Map and Lionshead Pedestrian Mall Map, both on file with the Town Clerk. *The Town Clerk may amend such maps upon a determination that such amendment is of a technical nature and consistent with the purposes of this Chapter.*

7-11-3 : VEHICULAR TRAFFIC:

A. Unless expressly permitted by this Chapter, all vehicular traffic is prohibited from accessing or using a pedestrian mall area.

B. All vehicular traffic permitted by Section 7-11-4 shall comply with Chapter 12 of this Title and the requirements of *the following* Vail Village Loading and Delivery Map and Lionshead Loading and Delivery Map, both on file with the Town Clerk. *The Town Clerk may amend such maps upon a determination that such amendment is of a technical nature and consistent with the purposes of this Chapter.*

7-11-4 : EXCEPTIONS:

In all pedestrian mall areas, the following vehicular traffic is permitted:

- A. Public transportation vehicles operated by the Town;
- B. Emergency vehicles;
- C. Vehicles authorized by the Town, as specified in a valid Town-issued permit;
- D. Town-approved contractors delivering commercial goods in accordance with Chapter 12 of this Title;
- E. Armored money vehicles;
- F. Waste and recycling collection vehicles;
- G. Vehicles entering or exiting a parking structure to access a business or residence when there is no other means of vehicular access;
- H. Property owners and their guests actively loading or unloading when there is no other means of vehicular access; and
- I. Guests checking in or out of any accommodation establishment located within a pedestrian mall area; ~~and~~
- ~~J. High volume commercial carriers as defined in Section 7-12-2 of this Title.~~

Section 2. Sections 7-12-2 and 7-12-3 of the Vail Town Code are hereby amended as follows:

7-12-2: DEFINITIONS:

The definitions in Section 4-1-2 of this Code shall apply to this Chapter. In addition, for purposes of this Chapter, the following terms shall have the following meanings:

COMMERCIAL GOODS: Goods that are sold for the generation of income or any other commercial purpose, including food and beverage and retail and wholesale goods.

~~**HIGH VOLUME COMMERCIAL CARRIER:** A commercial carrier that, on more than five (5) days per week, delivers a high volume and variety of commercial goods, excluding food and beverage, to multiple recipients in the Town.~~

LOADING DOCK: The area of a building designated for the loading and unloading of commercial goods to and from delivery vehicles, in compliance with this Code and all other applicable regulations.

PEDESTRIAN MALL AREA: Any area designated as a pedestrian mall area by Chapter 11 of Title 7 this Code.

TOWN-APPROVED CONTRACTOR: A contractor selected by the Town to transport and deliver commercial goods in any pedestrian mall area.

VILLAGE CORE: The area designated as the Village Core by light blue dashes on the following map:

7-12-3: RESTRICTED AREAS:

No person shall transport or deliver commercial goods in a pedestrian mall area except:

1. A Town-approved contractor; or
2. ~~A high-volume commercial carrier; or~~
3. Vehicles owned by businesses that own loading docks within a pedestrian mall area if the vehicles are clearly marked to show the ownership of the vehicle.

* * *

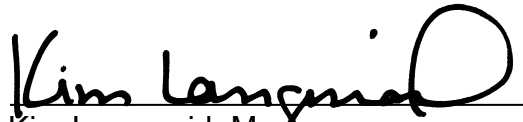
Section 3. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not effect the validity of the remaining portions of this ordinance; and the Council hereby declares it would have passed this ordinance, and each part, section, subsection, sentence, clause or phrase thereof, regardless of the fact that any one or more parts, sections, subsections, sentences, clauses or phrases be declared invalid.

Section 4. The Council hereby finds, determines and declares that this ordinance is necessary and proper for the health, safety and welfare of the Town and the inhabitants thereof.

Section 5. The amendment of any provision of the Town Code as provided in this ordinance shall not affect any right which has accrued, any duty imposed, any violation that occurred prior to the effective date hereof, any prosecution commenced, nor any other action or proceeding as commenced under or by virtue of the provision amended. The amendment of any provision hereby shall not revive any provision or any ordinance previously repealed or superseded unless expressly stated herein.

Section 6. All bylaws, orders, resolutions and ordinances, or parts thereof, inconsistent herewith are repealed to the extent only of such inconsistency. This repealer shall not be construed to revise any bylaw, order, resolution or ordinance, or part thereof, theretofore repealed.

INTRODUCED, READ ON FIRST READING, APPROVED, AND ORDERED PUBLISHED ONCE IN FULL ON FIRST READING this 5th day of September 2023 and a public hearing for second reading of this Ordinance set for the 3rd day of October 2023, in the Council Chambers of the Vail Municipal Building, Vail, Colorado.

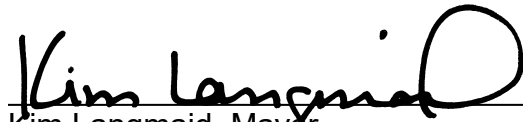

Kim Langmaid, Mayor

ATTEST:

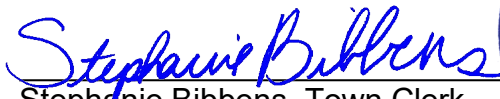

Stephanie Bibbens, Town Clerk



READ AND APPROVED ON SECOND READING AND ORDERED PUBLISHED
This 3rd day of October, 2023.


Kim Langmaid, Mayor

ATTEST:


Stephanie Bibbens, Town Clerk

