

POLICY FOR WINTER ICE DRIVING PERMIT ALLOCATION FOR GEORGETOWN LAKE
TOWN OF GEORGETOWN, COLORADO
REVISED 3.30.2023

1.0 Purpose.

The purpose of this Policy is to establish the policies and procedures for the use of Georgetown Lake for ice driving during the months of January and February of each calendar year.

2.0 Definitions.

Lake means the 55-acre reservoir located within the limits of the Town of Georgetown commonly known as Georgetown Lake.

Person means any natural person, partnership, cooperative association, corporation, limited liability company, personal representative, receiver, trustee, assignee, or other legal entity.

Permit means the revocable license issued by the Town of Georgetown for ice driving on the Lake during the months of January and February.

Permitee means the person to whom a permit for ice driving has been issued by the Town.

3.0 Scope.

- 3.1 This policy applies to the issuance of permits.
- 3.2 The Town Clerk or their designee has the sole authority to issue permits to those persons that submit a proper permit application subject to Section 4 of this policy.
- 3.3 **Permits shall only be issued for January and February. Exceptions would be for the last weekend in December the first weekend in March. Permits are subject to suitable ice density conditions for driving.** The Town reserves the right to restrict the use of the Lake for any reason at its sole discretion.

4.0 Permit Application.

- 4.1a **Concerning Weekend Use** - Prior year Lake users shall be entitled to the same weekend days as in the prior year subject to the limitation of Section 4.3 (As an example: If User A had the 2nd weekend Saturday in February of the prior year, then User A would be allocated the 2nd weekend Saturday in February of subsequent year upon submission of a permit application for this date).
- 4.1b **Concerning Weekday Use** - Prior year Lake users shall be entitled to the same weekdays as in the prior year subject to the limitation of Section 4.3 (As an example: If User A had the 2nd week in February of the prior year, then User A

would be allocated the 2nd week in February of subsequent year upon submission of a permit application for this date).

- 4.2 Prior year Lake users permit applications may be submitted beginning February 1st of each calendar year. The Prior year Lake users Permit application period shall conclude on the last day of February.
- 4.3 Prior year Lake users permit applications shall not be granted more than ten (10) weekend dates per applicant. A Prior year Lake user permit application may not identify more than fifteen (15) desired dates .
- 4.4 Only after all applications from the previous year's permit holders have been fulfilled shall open dates be available for application by additional users, issued on March 1 or the next business day if March 1st falls on a weekend. Permits issued pursuant to this Section 4.4 are disbursed on a “first come, first serve” basis.

5.0 Permit Fees.

Permitees shall pay a reservation/use fee of four hundred and fifty dollars (\$450.00) per day. Any daily reservation/use fee shall be paid prior to the Town granting permittee access to the Lake. All fees paid are non-refundable. The duration of permittee’s use of the Lake is always subject to proper weather and or ice conditions.

6.0 Indemnification.

All permittees, as a condition for the issuance of a permit, release, waive, discharge and covenant not to sue the Town and its employees for any and all loss, liability, damage, or costs a permittee may incur due to the permittee’s presence on the Lake. This indemnification is intended to be as broad as inclusive as is permitted by the laws of the state of Colorado.

7.0 Assumption of Risk.

In consideration of being permitted to enter onto the premises of the Lake, all permittees acknowledge and agree that ice driving is an inherently dangerous activity that may involve the risk of serious injury or death and/or property damage. The Town does not and will not make a safety evaluation for the use of the Lake by any permittee. Each permittee is responsible for their own evaluation, testing, and determination of the safety of the Lake’s conditions.

8.0 Insurance Required.

Permitees shall, at permittees' expense, obtain and keep in force, during the term of an issued permit, the following insurance coverages **for all actions arising out of Permittee’s use and enjoyment of the Lake and all areas appurtenant thereto:**

- **Comprehensive Automobile Liability insurance policy with minimum combined single limits for bodily injury and property damage of not less than \$2 Million Dollars each accident with respect to each of Permittee’s owned, hired and/or non-owned vehicles assigned to or used in performance of**

the services. The policy shall contain a severability of interests provision.

- A general liability policy with an aggregate limits of \$2 Million Dollars and \$1 Million Dollars each occurrence.
- The Town shall be a named insured on both policies, which shall be primary insurance with respect to coverage of the Town.
- Permittees shall provide current certificates of insurance for both policies as a condition of permit application and continued effectiveness. If either policy lapses, the permit shall be revoked.
- The Town is not waiving any of the provisions of the Colorado Governmental Immunity Act, CRS 24-10-101, et. seq.

9.0 Lake Use Restrictions.

- 9.1 Permittees shall be considerate in their use of the Lake and shall refrain from activities that deliberately or incidentally reduce the quality of the Lake's ice.
- 9.2 Use of the Lake shall be permitted from sunrise to sunset.
- 9.3 Permittees' use of the lake ice should not include extreme sport/high risk activities, and other uses determined by the Town of Georgetown to be inappropriate (such as motorcycles or ATV type vehicles).
- 9.4 Violation of any portion of this Policy may result in revocation of the permit.