

# ATTENTION LANDOWNERS

## Limited liability for landowners under the Colorado recreational use statutes

### Did you know...

Colorado law provides protection to landowners who make their property available for recreational purposes. The law encourages owners of land and water areas to make their land available for recreational purposes by limiting their liability to those using the land.

Title 33, article 41, C.R.S. Establishes damage limitations and provides other basic protections to landowners who make their property available at no cost for such purposes. These owners do not extend any assurance that the premises are safe for any purpose, confer upon such recreational user the legal status of an invitee or licensee to whom a duty of care is owed, or assume responsibility or incur liability for any injury to such recreational user of the property.



To obtain these protections, landowners may not charge a fee for the recreational use. However, any amounts received by a landowner from a lease to a public entity in which the public entity has been granted an easement or other rights to use land for recreational purposes will not be deemed a charge. Landowners receiving payments from public entities receive the same protections as if they had made the land available for use free of charge.

There are situations where these protections may be lost such as willfully failing to guard against a known danger, charging a fee for the use other than a lease fee to a public entity, maintaining an attractive nuisance, or using the land for a commercial or business enterprise.

This section is not a complete recitation of title 33, article 41, C.R.S. Which should be reviewed in its entirety to fully understand its application. Landowners are encouraged to review these statutes with legal counsel. For your convenience, the statutes are located on the eagle county website and may be found at [www.Eaglecounty.us/attorney/faq/](http://www.Eaglecounty.us/attorney/faq/).

