

**CHAPTER 15****SECTION 1****Traffic Regulations****Subsections:**

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**15-1-1 ADOPTION OF TRAFFIC CODE.**

There is hereby adopted by reference Articles I to II inclusive of the 2003 edition of the "Model Traffic Code for Colorado" promulgated and published as such by the Colorado Department of Transportation, Safety and Traffic Engineering Branch, 4201 East Arkansas Avenue, EP 700, Denver, Colorado 80222. The subject matter of said Code relates primarily to comprehensive traffic control regulations for the Town. The purpose of this Chapter and the Code adopted herein is to provide a system of traffic regulations consistent with State law and generally conforming to similar regulations throughout the State and Nation.

(Ord 1-2010)

**15-1-2 MODIFICATIONS AND DELETIONS.**

(A) The following provisions of the Model Traffic Code adopted herein are modified as follows:

Delete the words "by ordinance" in the first line of Subsection 1205(3).

(Ord 1-2010)

(B) The following provisions of the Model Traffic Code are hereby deleted:

Subsection 1101(8), and Sections 1701, 1702, 1705, 1706, 1707, 1708, 1709, 1710, 1713, 1714 and 1715.

(Ord 1-2010)

**15-1-3 APPLICABILITY.**

This Section shall apply to every street, alley, sidewalk area, driveway, park, and to every other public way or public place or public parking area, either within or outside the corporate limits of this municipality, the use of which this municipality has jurisdiction and authority to regulate. The provisions of Sections 1401, 1402, 1413 and Part 16 of the adopted Model Traffic Code respectively,

concerning reckless driving, careless driving, unauthorized devices, eluding officer, and accident investigation shall apply not only to public places and ways but also throughout this municipality.

(Ord 2-1996)

#### **15-1-4 INTERPRETATION.**

This Section shall be so interpreted and construed as to effectuate its general purpose to conform with the State's uniform system for the regulation of vehicles and traffic. Section headings of the Section and adopted Model Traffic Code shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or extent of the provisions of any Section thereof.

#### **15-1-5 COPIES.**

(A) One copy of the Model Traffic Code and any secondary code pertaining thereto certified to be true copies by the Mayor and Clerk shall be kept filed in the Office of the Clerk for public inspection.

(Ord 2-1996)

(B) The Clerk shall maintain a reasonable supply of copies of the Model Traffic Code adopted herein for purchase by the public at a moderate price.

(Ord 2-1996)

#### **15-1-6 POINT REDUCTIONS.**

(A) If a person receives a penalty assessment notice for a violation of this Chapter of the Traffic Code adopted herein, and pays the fine on or before the date the payment is due, the points assessed for the violation are reduced as set out in Subsection (B).

(B) (1) For a violation having an assessment of three or more points under State Statute, the points are reduced by two points.

(2) For a violation having an assessment of two points under State Statute, the points are reduced by one point.

(Ord 4-1999)

#### **15-1-7 AUTHORITY TO IMPOUND VEHICLES.**

(A) The Town shall have authority to remove and impound vehicles

(1) which are tended or unattended, and standing upon any portion of a street or highway right-of-way within the Town in such a manner as to interfere with the free movement of vehicular traffic or street maintenance;

(2) which have been disabled as a result of an accident;

(3) concerning which when there are reasonable grounds to believe have been abandoned on either public or private property;

(4) which are left unattended on public property, including any portion of a street or highway right-of-way for a period of longer than 24 hours, if in violation of any parking regulations or other provisions of this Chapter, the Model Traffic Code or Municipal Code;

(5) under circumstances as allowed and provided pursuant to C.R.S. 42-4-1801, et seq.;

(6) for safekeeping incident to an arrest;

(7) which are causing a nuisance; or

(8) as otherwise allowed by law. (Ord 9-1999)

(B) The Town may enter into contracts for the towing, impoundment and disposal of vehicles pursuant to this Section and C.R.S. 42-4-1801, et seq. (Ord 9-1999)

(C) Vehicles removed and impounded as provided in this Section shall be disposed of, and towing, storage and other fees collected in accordance with the provisions of C.R.S. 42-4-1801, et seq. (Ord 9-1999)

**15-1-8 GOLF CARTS.** (Subsection added by Ord 5-2008)

(A) Self propelled, electrically powered, motor vehicles that meet the equipment standards of Part 2 of Article 4 of Title 42, CRS, and do not have a speed attainable in one mile in excess of twenty (20) miles per hour, may be operated on streets and highways under the Town's jurisdiction except for Highway 550 and Highway 62.

(B) Such vehicles must display a slow moving vehicle emblem in the rear.

**15-1-9 PARKING TICKETS.** (Subsection added by Ord 7-2008)

(A) Notice on illegally parked vehicle: Whenever any vehicle is found parked or stopped in violation of any of the restrictions imposed by Ordinances of this Town, the officer finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user and may conspicuously affix to such vehicle a notice of parking violation or provide the same to the owner or driver. Such notice of parking violation shall contain such information as convenient for the administration and enforcement of these provisions and the Municipal Traffic Code, but shall at a minimum advise the driver or owner of the car, generally, of the nature of the violation, the amount of the fines which can be imposed, the procedure for either paying the fine or entering a plea to contest the violation, and the time in which the fine must be paid or other action taken. The fines shall be determined by the Municipal Judge.

(B) Failure to comply with notice of parking violation: If the driver or owner of a vehicle charged with an apparent violation of the restrictions on stopping, standing or parking under the Traffic Ordinances of this Town does not respond within the time to pay the fine specified on the notice of parking violation affixed to such vehicle or provided to such driver or owner, as provided in Subsection (A), by payment of the penalty to the Municipal Court, or by appearance and entry of plea, in accordance with the procedures set out on such notice of parking violation, or by other disposition of the charges, as provided by law, the Town shall cause another notice to be sent, by mail, to the registered owner of the vehicle concerning which the original ticket was directed, warning him that, in the event such notice is disregarded for a period of ten (10) days from the date of mailing, a complaint will be filed and either a summons or warrant of arrest will be issued. In the event the applicable penalty is not paid, entry of plea made, or other disposition of the charge made, as provided by law, within said ten (10) days, a complaint shall be filed and a summons or warrant of arrest issued.

(C) Presumption in Reference to Illegal Parking: In any prosecution charging a violation of any provision of this Chapter or the Municipal Traffic Code governing the stopping, standing or parking of a vehicle, proof that the particular vehicle described in the complaint was parked in violation of any such regulation, together with proof that the defendant named in the complaint was at the time of such parking the registered owner of such vehicle, shall constitute in evidence a prima

facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which, such violations occurred.

**15-1-10 PARKING RESTRICTIONS.**

(Subsection added by Ord 7-2008)

(A) Marked Spaces: When parking spaces are marked on any roadway, street or alley right of way, or Town owned parking areas by official markings, any vehicle shall be parked within the marked boundary of a single marked space.

(B) Parking in Alleys:

(1) No person shall park a vehicle within an alley except during the necessary and expeditious loading and unloading of merchandise or freight or within parking spaces marked by official markings.

(2) No person shall stop, stand or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property.

(C) Parking for Certain Purposes Prohibited: No person shall park a vehicle within any street or alley right of way, or in Town owned parking lots for a purpose of:

(1) Displaying such vehicle for sale;

(2) Washing, greasing, painting, or repairing a vehicle except repairs necessitated by an emergency; or washing or minor repairs to a vehicle in front of the owner's premises if lawfully parked, safely out of the roadway, and no fluids other than wash water is discharged, and no nuisance is created; or

(3) Displaying advertising. It shall be prima facie evidence that a vehicle is parked for the purpose of "displaying advertising" if the vehicle has a sign or advertising device temporarily attached to the vehicle.

(D) Clearance Between Vehicle: No person shall stand or park a vehicle in such a manner as to leave available less than two (2) feet clearance between vehicles when parked.

(E) It shall be unlawful to park next to curbs painted yellow under authority of the Town.

**15-1-11 UNATTENDED MOTOR VEHICLES.**

(Subsection added by Ord 7-2008)

(A) It shall be unlawful to park or leave any vehicle standing for a period longer than 72 hours upon a street right of way in the HB Zoning District, regardless of whether the vehicle is in front of the owner's residence or place of business.

(B) Vehicles parked or left standing in violation of this Subsection are hereby declared to be a nuisance which may be abated in accordance with law. In addition, such vehicles shall be considered abandoned and may be impounded and disposed of in accordance with provisions of the Town's Traffic Code and State law.