

PART 1 - TRAFFIC REGULATION - GENERALLY

101. Required obedience to Traffic Code.

It is a violation of this Traffic Code for any person to do any act forbidden or fail to perform any act required in this Traffic Code. (Ord. 016, 2003 §1)

102. Applicability.

This Traffic Code 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 the City, the use of which the City has jurisdiction and authority to regulate. The provisions of sections 606, 1208, 1211, 1401, 1402, 1409, 1413 and 1601 of this Traffic Code, as adopted and amended herein, respectively concerning unauthorized devices, parking privileges for persons with disabilities, limitations on backing, reckless driving, careless driving, insurance compliance, eluding an officer and accident investigation shall apply not only to public places and ways, but anywhere throughout the City. (Ord. 016, 2003 §1; Ord. 008, 2009 §1)

103. Scope and effect of Model Traffic Code - exceptions to provisions.

- (1) This Traffic Code constitutes the traffic code throughout this jurisdiction.
- (2) The provisions of this Traffic Code relating to the operation of vehicles and the movement of pedestrians refer exclusively to the use of streets and highways except:
 - (a) Where a different place is specifically referred to in a given section. (Ord. 016, 2003 §1)

104. Construal of provisions.

This Traffic Code shall be so interpreted and construed as to effectuate its general purpose to conform to the state's uniform system for the regulation of vehicles and traffic. Part and section headings of this Traffic Code shall not be deemed to govern, limit, modify or in any way affect the scope, meaning or extent of the provisions of any part or section thereof. (Ord. 016, 2003 §1)

105. Local traffic control devices.

The City shall place and maintain such traffic control devices upon highways under its jurisdiction as it may deem necessary to indicate and to carry out the provisions of this Traffic Code and to regulate, warn or guide traffic, subject in the case of state highways to the provisions of Sections 42-4-110 and 43-2-135 (1)(g), C.R.S. All such traffic control devices shall conform to the state manual and specifications for statewide uniformity as provided in Section 42-4-104, C.R.S. (Ord. 016, 2003 §1)

106. Certification by City Clerk; copies to be retained.

The City Clerk shall certify to the passage of this Traffic Code and make at least one (1) copy of the Fort Collins Traffic Code available for inspection by the public during regular business hours. (Ord. 016, 2003 §1; Ord. 036, 2009 §5)

107. Public officers to obey provisions - exceptions for emergency vehicles.

- (1) The provisions of this Traffic Code applicable to the drivers of vehicles upon the streets or highways of the City shall apply to the drivers of all vehicles owned or operated by the United States, this state or any county, city, town, district or other political subdivision of the state, subject to such specific exceptions as are set forth in this Traffic Code with reference to authorized emergency vehicles.
- (2) The driver of an authorized emergency vehicle, when responding to an emergency call, or when in pursuit of an actual or suspected violator of the law, or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this Section, but subject to the conditions stated in this Traffic Code. The driver of an authorized emergency vehicle may:
 - (a) Park or stand, irrespective of the provisions of this Traffic Code or state law;
 - (b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
 - (c) Exceed the lawful speeds set forth in Section 1101(2) or exceed the maximum lawful speed limits set forth in Section 1101(8) so long as said driver does not endanger life or property;
 - (d) Disregard regulations governing directions of movement or turning in specified directions.
- (3) The exemptions granted in Paragraphs (b) to (d) of Subsection (2) of this Section to an authorized emergency vehicle shall apply only when such vehicle is making use of audible and/or visual signals meeting the requirements of Section 213, and the exemption granted in Paragraph (a) of Subsection (2) of this Section shall apply only when such vehicle is making use of visual signals meeting the requirements of Section 213 unless using such visual signals would cause an obstruction to the normal flow of traffic; except that an authorized emergency vehicle being operated as a police vehicle while in actual pursuit of a suspected violator of any provision of this Traffic Code need not display or make use of audible and/or visual signals so long as such pursuit is being made to obtain verification of or evidence of the guilt of the suspected violator. Nothing in this Section shall be construed to require an emergency

vehicle to make use of audible signals when such vehicle is not moving, whether or not the vehicle is occupied.

- (4) The provisions of this Section shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of such driver's reckless disregard for the safety of others.
- (5) In addition to the foregoing provisions of this Section, the parking requirements of this Traffic Code shall not apply to the driver of a City motor vehicle using camera radar to detect speeding violations under Section 1106 of this Traffic Code or to the driver of a Parking Services vehicle in the course of his or her official duties of enforcing parking regulations under Part 12 of this Traffic Code or to the driver of an authorized emergency vehicle, provided that such vehicles, at the time they parked, are being used by law enforcement or emergency services personnel in the performance of their official duties. Further, nothing in this paragraph shall relieve such drivers from the duty to park their vehicles with due regard for the safety of all persons, nor shall this paragraph protect such drivers from the consequences of their reckless disregard for the safety of others. (Ord. 016, 2003 §1; Ord. 139, 2004 §1)

108. Provisions uniform throughout jurisdiction.

- (1) The provisions of this Traffic Code shall be applicable and uniform throughout the City.
- (2) The City shall regulate and enforce all traffic and parking restrictions on streets which are state highways as provided in Sections 42-4-110(1)(e) and 43-2-135(1)(g), C.R.S.
- (3) The City may enact, adopt or enforce traffic regulations which cover the same subject matter as the various sections of this Traffic Code or state law and such additional regulations as are included in Section 42-4-111, C.R.S.
- (4) The Fort Collins Municipal Court shall have jurisdiction over violations of traffic regulations enacted or adopted by City Council. (Ord. 016, 2003 §1)

109. Reserved.

110. Reserved.

111. Reserved.

112. Noninterference with the rights of owners of realty.

Subject to the exception provided in Section 103(2), nothing in this Traffic Code shall be construed to prevent the owner of real property used by the public for

purposes of vehicular travel by permission of the owner and not as matter of right from prohibiting such use, or from requiring other or different or additional conditions than those specified in this Traffic Code, or from otherwise regulating such use as may seem best to such owner. (Ord. 016, 2003 §1)

113. Reserved.

114. Removal of traffic hazards.

- (1) The Traffic Engineer or other local authority may by written notice sent by certified mail require the owner of real property abutting on the right-of-way of any highway, sidewalk or other public way to trim or remove, at the expense of said property owner, any tree limb or any shrub, vine, hedge or other plant which projects beyond the property line of such owner onto or over the public right-of-way and thereby obstructs the view of traffic, obscures any traffic control device or otherwise constitutes a hazard to drivers or pedestrians.
- (2) It is the duty of the property owner to remove any dead, overhanging boughs of trees located on the premises of such property owner that endanger life or property on the public right-of-way.
- (3) In the event that any property owner fails or neglects to trim or remove any such tree limb or any such shrub, vine, hedge or other plant within ten (10) days after receipt of written notice from the City to do so, the City may do or cause to be done the necessary work incident thereto, and said property owner shall reimburse the City for the cost of the work performed. (Ord. 016, 2003 §1)

115. Reserved.

116. Restrictions for minor drivers.

- (1)
 - (a) Except as provided in Paragraph (c) of this Subsection (1), a minor driver shall not operate a motor vehicle containing a passenger who is under twenty-one (21) years of age and who is not a member of the driver's immediate family until such driver has held a valid driver's license for at least six (6) months.
 - (b) Except as provided in Paragraph (c) of this Subsection (1), a minor driver shall not operate a motor vehicle containing more than one (1) passenger who is under twenty-one (21) years of age and who is not a member of the driver's immediate family until such driver has held a valid driver's license for at least one (1) year.
 - (c) Paragraphs (a) and (b) of this Subsection (1) shall not apply if:

- (I) The motor vehicle contains the minor's parent or legal guardian or other responsible adult described in Section 42-2-108, C.R.S.;
 - (II) The motor vehicle contains an adult twenty-one (21) years of age or older who currently holds a valid driver's license and has held such license for at least one (1) year;
 - (III) The passenger who is under twenty-one (21) years of age is in the vehicle on account of a medical emergency; or
 - (IV) All passengers who are under twenty-one (21) years of age are members of the driver's immediate family, and all such passengers are wearing a seatbelt.
- (2) (a) Except as provided in Paragraph (b) of this Subsection (2), a minor driver shall not operate a motor vehicle between 12:00 a.m. and 5:00 a.m. until such driver has held a driver's license for at least one (1) year.
- (b) This Subsection (2) shall not apply if:
- (I) The motor vehicle contains the minor's parent or legal guardian or other responsible adult described in Section 42-2-108, C.R.S.;
 - (II) The motor vehicle contains an adult twenty-one (21) years of age or older who currently holds a valid driver's license and has held such license for at least one (1) year;
 - (III) The minor is driving to school or a school-authorized activity when the school does not provide adequate transportation, so long as the driver possesses a signed statement from the school official containing the date the activity will occur;
 - (IV) The minor is driving on account of employment when necessary, so long as the driver possesses a signed statement from the employer verifying employment;
 - (V) The minor is driving on account of a medical emergency; or
 - (VI) The minor is an emancipated minor.
- (3) Occupants in motor vehicles driven by a minor driver shall be properly restrained or wear seat belts as required in Sections 236 and 237.
- (4) No more than one (1) passenger shall occupy the front seat of a motor vehicle driven by a minor driver and the number of passengers in any back seat(s) of such vehicle shall not exceed the number of seatbelts.

- (5) A violation of this Section is a traffic infraction, and, upon conviction, the violator may be punished as follows:
 - (a) By the imposition of not less than eight (8) hours nor more than twenty-four (24) hours of community service for a first offense and not less than sixteen (16) hours nor more than forty (40) hours of community service for a subsequent offense;
 - (b) By the levying of a fine of not more than fifty dollars (\$50) for a first offense, a fine of not more than one hundred dollars (\$100) for a second offense and a fine of one hundred fifty dollars (\$150) for a subsequent offense;
 - (c) By an assessment of two (2) license suspension points pursuant to Section 42-2-127(5)(kk), C.R.S.
- (6) For the purposes of this Section:
 - (a) *Emancipated minor* shall mean an individual under eighteen (18) years of age whose parents or guardian has surrendered parental responsibilities, custody and the right to the care and earnings of such person, and is no longer under a duty to support such person.
 - (b) *Minor driver* shall mean a person who is operating a motor vehicle and who is under eighteen (18) years of age.
- (7) No driver in a motor vehicle shall be cited for a violation of this Section unless such driver was stopped by a law enforcement officer for an alleged violation of this Traffic Code other than a violation of this Section. (Ord. 085, 2005 §1; Ord. 109, 2006 §1; Ord. 119, 2011 §1, 2011)