

CHAPTER 8

Vehicles and Traffic

Article 1 Model Traffic Code

- Sec. 8-1-10 Adoption
- Sec. 8-1-20 Copy on file
- Sec. 8-1-30 Amendments
- Sec. 8-1-40 Roadways designated as one-way
- Sec. 8-1-50 Application
- Sec. 8-1-60 Interpretation
- Sec. 8-1-70 Violation; penalty
- Sec. 8-1-80 Internal combustion vehicles

Article 2 Parking Regulations

- Sec. 8-2-10 Weight restriction of parked vehicles
- Sec. 8-2-20 Parking restrictions for motor vehicles

ARTICLE 1

Model Traffic Code

Sec. 8-1-10. Adoption.

Pursuant to Title 31, Article 16, Parts 1 and 2, and Title 30, Article 15, Part 4, C.R.S., there is hereby adopted by reference Articles I and 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 the *Model Traffic Code* relates primarily to comprehensive traffic control regulations for the Town. The purpose of this Article 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 the Nation. (Ord. 2007-07 §1)

Sec. 8-1-20. Copy on file.

One (1) copy of the *Model Traffic Code* adopted herein is now filed in the office of the Town Clerk and may be inspected during regular business hours. The 2003 edition of the *Model Traffic Code* is adopted as if set out at length. (Ord. 2007-07 §1)

Sec. 8-1-30. Amendments.

The adopted *Model Traffic Code* is subject to the following additions, modifications and amendments:

- (1) Section 1101(1) of the Model Traffic Code is hereby amended to read as follows:

"No person shall drive a vehicle in this municipality at a speed greater than the lesser of (a) a speed that is reasonable and prudent under the conditions then existing or (b) the maximum lawful speed."

- (2) Section 1102(1) of the Model Traffic Code is hereby amended to read as follows:

"Whenever local authorities determine, upon the basis of a traffic investigation, surveyor recommendation by the Town Engineer or Town Administrator or, in the case of newly constructed roads or segments thereof, upon the basis of appropriate design standards and projected traffic volumes, that any speed specified or established as authorized under Sections 1101 to 1104 is greater or less than is reasonable or safe under the road and traffic conditions at any intersection or other place or upon any part of a street or highway in its jurisdiction, such local authority may determine and declare a reasonable and safe speed limit thereat which shall be effective when appropriate signs giving notice thereof are erected at such intersection or other place or upon the approaches thereto."

- (3) Section 1102(2) of the Model Traffic Code is hereby amended to read as follows:

"Local authorities shall determine, upon the basis of a traffic investigation, survey or recommendation by the Town Engineer or Town Administrator, the proper speed for all arterial streets and shall declare a reasonable and safe speed limit thereon which may be greater or less

than the speed specified under Section 1101(2)(b) or (2)(c). Such speed limit shall not exceed 75 miles per hour and shall become effective when appropriate signs are erected giving notice thereof. For purposes of this subsection (2), an 'arterial street' means any United States or state-numbered route, controlled-access highway or other major radial or circumferential street or highway designated by local authorities within their jurisdiction as part of a major arterial system of streets or highways."

(4) Section 1101(2)(c) is hereby amended to provide the following specific limits to speeds in designated areas of the Town:

"a. The speed limit inside the Town limits shall be 25 miles per hour unless otherwise posted.

"b. The maximum speed allowable for 4th Avenue (Weld County Road 74) from west Town limits to Weld County Road 21 shall be 45 miles per hour, except that the limit shall be 35 miles per hour from Weld County Road 21 to Mahogany Way; from Mahogany Way to 3rd Street, the maximum speed shall be 25 miles per hour; from 3rd Street to 200 feet east of Baldrige Drive, the maximum speed shall be 35 miles per hour; and from 200 feet east of Baldrige Drive to Weld County Road 25, the allowable maximum speed shall be 45 miles per hour.

"c. The maximum speed allowable for Weld County Road 21 within the Town limits is 35 miles per hour.

"d. The maximum speed allowable on Weld County Road 23 (1st Street) from Weld County Road 72 extending approximately one-half mile north shall be 45 miles per hour; and from this point to the southerly boundary of Lakeview Park, approximately three-quarters of a mile north of Weld County Road 72, the maximum allowable speed shall be 35 miles per hour; and from this point to the railroad crossing, approximately one-quarter of one mile north of 4th Avenue (Weld County Road 74), the maximum allowable speed shall be 25 miles per hour. The rest of Weld County Road 23 shall be posted at maximum speeds between 25 miles per hour and 55 miles per hour, depending on zoning and hazards. Maximum speeds allowable in such area shall be set by the Town Administrator in consultation with the Town Engineer."

(Ord. 2005-07 §§1—5; Ord. 2005-10 §1; Ord. 2007-07 §1)

Sec. 8-1-40. Roadways designated as one-way.

Pursuant to Section 1006(3) of the adopted Model Traffic Code, the Town hereby designates the following roadway, portion of a roadway or specific lanes as designated roadways upon which vehicular traffic shall be required to proceed in one (1) direction at all times: 3rd Avenue east from 2nd Street and 3rd Street south from 3rd Avenue to 4th Avenue. (Ord. 2005-14 §1; Ord. 2007-07 §1)

Sec. 8-1-50. Application.

This Article shall apply to every street, alley, sidewalk area, driveway, park and every other public way, place and parking area, either within or outside the corporate limits of the Town, the use of which the Town 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, eluding a police officer and accidents and accident reports shall apply not only to public places and ways but also throughout the Town. (Ord. 2007-07 §1)

Sec. 8-1-60. Interpretation.

This Article 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. Article and section headings of this Article and the adopted code shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of the provisions of any article or section thereof. (Ord. 2007-07 §1)

Sec. 8-1-70. Violation; penalty.

(a) It is unlawful for any person to violate any of the provisions of this Article or the *Model Traffic Code* as adopted herein.

(b) Any person violating any of the provisions of the *Model Traffic Code for Colorado* as adopted by the Town shall be deemed guilty of a misdemeanor, and each such person, upon conviction of any violation of the Model Traffic Code, shall be punished by a fine of not more than three hundred dollars (\$300.00). (Ord. 8-1995 §1; Ord. 2007-07 §1)

Sec. 8-1-80. Internal combustion vehicles.

(a) The use or operation of any internal combustion vehicle on any street, right-of-way, municipal park, parking area, trail or sidewalk in the Town is prohibited.

(b) For purposes of this Section, the term *internal combustion vehicle* shall mean any device other than a motor vehicle, as defined by the Model Traffic Code, which is powered by an internal combustion engine which is designed for ground transportation of one (1) or more persons, including but not limited to "pocket bikes," minibikes, three- and four-wheeled all-terrain vehicles and off-road cycles. Medical assistance devices, agricultural equipment, maintenance equipment and landscape equipment shall not be included in this definition. (Ord. 2006-05)

ARTICLE 2

Parking Regulations

Sec. 8-2-10. Weight restriction of parked vehicles.

(a) Campers, camper trailers, motor homes, trucks, trailers or other large vehicles which weigh in excess of twenty thousand (20,000) pounds gross vehicle weight (GVW) shall not be parked in any manner which restricts the visibility of traffic on adjacent streets or obstructs the view of traffic at any intersection.

(b) Except as specifically posted, no vehicle which weighs in excess of twenty thousand (20,000) pounds GVW is allowed to park on any street in the Town except for the time required for loading or

unloading of contents. The Town Administrator is authorized to designate and post areas for truck parking.

(c) Campers, camper trailers, motor homes, trucks, trailers or other large vehicles which weigh in excess of twenty thousand (20,000) pounds GVW parked or left unattended in violation of this Article may be ticketed or towed, or both, by the Town or a towing service engaged by such official, upon the signed complaint of the owner or person in possession of the private property on which such vehicle is located, or at the discretion of the Town. The owner of the vehicle or other mode of conveyance shall pay the actual towing and storage fees for the release of the vehicle or other mode of conveyance. All costs incurred shall be charged to the owner of such property, and both the owner and any individual responsible for the placement of such property in violation of this Article shall be punished in accordance with the provisions of Section 1-4-20 of this Code. (Ord. 2003-09 §§1, 2; Ord. 2007-07 §1)

Sec. 8-2-20. Parking restrictions for motor vehicles.

(a) It is unlawful for any person to park or place any vehicle or other mode of conveyance, whether occupied or not, on any private property, including private driveways in the Town, without the consent of the owner or the person in possession of such property.

(b) It is unlawful for any person to leave any vehicle which he or she owns or controls unattended on any portion of a street or highway right-of-way within the Town for a period of twenty-four (24) hours or longer, except that licensed, operating vehicles may be parked on the street in the same block where the owner resides. After the expiration of such a period, the Town may place a notice on such vehicle, requiring its removal within forty-eight (48) hours to some location not on a street or highway right-of-way. After the expiration of such period, the penalty and towing provisions of Subsection (d) below shall apply.

(c) It is unlawful for any person to park or place any vehicle or other personal property, including but not limited to campers, trailers, basketball goals, nets, sporting equipment, vehicle attachments, debris or refuse in the roadway or public right-of-way of a street, alley or intersection within the Town limits.

(d) Any vehicle or conveyance parked or left unattended in violation of this Article may be towed away from such location by the Town, using towing services, upon the signed complaint of the owner or person in possession of the private property way, and the owner of the vehicle or other mode of conveyance shall pay the actual towing and storage fees for the release of the vehicle or other mode of conveyance. Any personal property left on a street or right-of-way in violation of this Article may be impounded or discarded, at the discretion of the Town. All costs incurred shall be charged to the owner of such property, and both the owner and any individual responsible for the placement of such property in violation of this Article shall be punished in accordance with the provisions of Section 1-4-20 of this Code. (Ord. 2003-10 §§1, 2; Ord. 2007-07 §1)