

ORDINANCE  
NO. 8  
SERIES OF 2025

COUNCIL BILL NO. 2  
INTRODUCED BY COUNCIL  
MEMBER ANDERSON

**AN ORDINANCE AMENDING TITLE 11 OF THE ENGLEWOOD MUNICIPAL CODE CONCERNING TRAFFIC AND INCORPORATING BY REFERENCE THE 2024 EDITION OF THE MODEL TRAFFIC CODE FOR COLORADO NOVEMBER 2024 REVISION 1.0 AS MODIFIED BY APPLICABLE ADDITIONS AND DELETIONS.**

**WHEREAS**, Article V, Section 44, of the Englewood Home Rule Charter provides that standard codes promulgated by the State of Colorado may be adopted by reference; and

**WHEREAS**, pursuant to C.R.S. § 42-4-110(1)(b), municipalities may, in the manner prescribed by Parts 1 and 2 of Article 16 of Title 31, C.R.S., adopt by reference all or any part of a Model Traffic Code to control and regulate the movement and parking of motor vehicles as provided by state traffic laws; and

**WHEREAS**, since 1952, the Colorado Department of Transportation (CDOT) has published and regularly updated the Model Traffic Code for Colorado, which is modeled after the applicable state statutes and adopted by municipalities to ensure uniformity and standardization of traffic regulations throughout the state; and

**WHEREAS**, the City has previously adopted versions of the Model Traffic Code and adopted by reference the 2020 edition of the Model Traffic Code for Colorado, as amended; and

**WHEREAS**, in 2024 CDOT promulgated the 2024 edition of the Model Traffic Code for Colorado; and

**WHEREAS**, in November 2024 CDOT updated the 2024 edition of the Model Traffic Code for Colorado with Revision 1.0; and

**WHEREAS**, the current traffic code requires amending in order to comply with changes in state law; and

**WHEREAS**, in 2017 the Colorado Legislature passed House Bill 17-1162 authorizing local governments to enforce certain violations of C.R.S. § 42-2-138; and

**WHEREAS**, C.R.S. § 42-2-127(5.6) permits any municipality to elect to adopt the provisions of C.R.S. § 42-2-127(5.5) by ordinance automatically reducing the number of points for traffic infractions for payment made before the due date; and

**WHEREAS**, uniformity between the City and state traffic code benefits officers by allowing them to adhere to a single set of rules, thereby simplifying their duties and reducing the risk of error; and

**WHEREAS**, the City Council hereby finds that adoption of 2024 Model Traffic Code November 2024 Revision 1.0 is necessary for the health, safety, welfare of the public and desires to adopt such code by reference, as amended and set forth herein; and

**WHEREAS**, City Council first considered and approved this Council Bill on January 6, 2025, but this matter is back for Council consideration on a second first reading at request of Municipal Court, to include a clarification to proposed revisions to EMC § 11-1-7 below and to provide a delayed implementation if necessary to allow for software process and citation amendments.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, AS FOLLOWS:**

**Section 1. Adoption of the Model Traffic Code.** Pursuant to Section 44, Article V of the Englewood Home Rule Charter, and Title 31, Article 16, Parts 1 and 2, C.R.S., as amended, there is hereby adopted by reference the 2024 Edition of the "Model Traffic Code for Colorado November 2024 Revision 1.0," promulgated and published as such by the Colorado Department of Transportation, Traffic Engineering and Safety Branch, 2829 W. Howard Place, Denver, Colorado 80204. The subject matter of the Model Traffic Code relates primarily to comprehensive traffic-control regulations for the State of Colorado, and its subject counties, cities, towns, and home rule municipalities, including the City of Englewood (hereinafter referred to as "City"). The purpose of this Ordinance and the Englewood Municipal Code ("EMC") adopted herein is to provide a system of traffic regulation consistent with state law and generally conforming to similar regulations throughout the state and nation. Two copies of the Model Traffic Code adopted herein shall be on file in the office of the City Clerk for the City of Englewood, Colorado and may be inspected during regular business hours, and one copy shall be made available at the website of the City Clerk.

**Section 2. Amendment of Title 11.** Title 11, Chapter 1 to the Englewood Municipal Code shall be amended to read as follows (new provisions underlined; and deleted provisions crossed through):

11-1-1 : Adoption of Code.

A. ~~Pursuant to Section 44, Article V of the Englewood Home Rule Charter, and Title 31, Article 16, Parts 1 and 2, C.R.S., as amended, there is hereby adopted by reference Articles I and II, inclusive of the 2024 Edition of the "Model Traffic Code for Colorado," promulgated and published as such by the Colorado Department of Transportation, Traffic Engineering and Safety Branch, 2829 W. Howard Place, Denver, Colorado 80204. The subject matter of the Model Traffic Code relates primarily to comprehensive traffic-control regulations for the State of Colorado, and its subject counties, cities, towns and home rule municipalities, including the City of Englewood (hereinafter referred to as "City"). The~~

~~purpose of this Ordinance and the Englewood Municipal Code ("C.R.") adopted herein is to provide a system of traffic regulation consistent with state law and generally conforming to similar regulations throughout the state and nation. Two copies of the Model Traffic Code adopted herein shall be on file in the office of the City Clerk for the City of Englewood, Colorado and may be inspected during regular business hours, and one copy shall be made available at the website of the City Clerk.~~

A.B. The 2024~~0~~ edition of the Model Traffic Code for Colorado November 2024 Revision 1.0 ("MTC") published by the Colorado Department of Transportation is adopted by reference as if set out at length, except as specifically amended for the following amendments and deletions as set forth below. To the extent that an MTC provision is not otherwise applicable, it shall be interpreted to apply to the City or EMC equivalent. In any conflict, EMC provisions shall apply.

1. Penalty Assessment. ~~The penalty assessments for traffic violations are inapplicable to the City. Therefore, a~~ All references to penalty assessments and procedures dealing with penalty assessments as set forth within Parts 1-19 of the 2024~~0~~ Model Traffic Code Revision 1.0 are hereby expressly deleted.
2. Part 1, Section 103, MTC, is hereby amended by the addition of a new subsection (2)(c), which shall read as follows:  
  
103. Scope and effect of Code — exceptions to provisions.  
  
(2) (c) ~~Provisions of these Parts 1—19 of t~~The MTC as adopted herein shall apply to all public highways, roadways, streets, alley ways, and upon private property made available for public use where the City has contracted to provide traffic and parking enforcement, ~~and any such contract shall be a waiver of any objection the owner may assert concerning enforcement of this section and the MTC by peace officers authorized and empowered to enforce this Code, provisions of law to the contrary notwithstanding.~~
3. Part 1, Section 106, who may restrict right to use highways - is hereby amended to read as follows:  
  
106. Right to restrict right to use highways.
  - a) The use of certain streets and roadways by trucks or other commercial vehicles, bicycles, and horse-drawn vehicles or other non-motorized traffic shall be restricted or prohibited when authorized by the City Traffic Engineer and when official signs giving notice thereof are erected.
  - b) For the purposes of road construction and maintenance any street or portion thereof may, by action of the City or by agreement with other concerned road agencies, be temporarily closed to through traffic or to all vehicular traffic during the work project, and the traffic affected shall be along appropriate detours or alternative routes by official traffic control devices.
  - c) When signs are so erected giving notice of restrictions or prohibitions upon the use of streets, no person shall disobey the directions or instructions stated on such signs.

- d) The provisions of subsection (a) above shall not be construed to prohibit the drivers of any excluded vehicle(s) from traveling over such restricted or prohibited streets, other than controlled-access roadways, for the purpose of delivering or picking up materials or merchandise or reaching destinations which occur on these particular streets, provided such excluded vehicles enter such streets at the intersection nearest the destination of the vehicle and proceed thereon no further than the nearest intersection thereafter.
- 4. ~~The Title of Part 1, Section 109, Low power scooters, animals, skis, skates, and toy vehicles, on highways is hereby amended as follows:~~  
~~109. Operation of low power scooters, animals, skis, skates, toy vehicles and electric golf cars.~~
- 5. ~~Sections (1) and (13) of Part 1, Section 109, Low power scooters, animals, skis, skates, and toy vehicles, on highways are hereby amended to read as follows, and a new subsection (14) is added as follows:~~  
~~109. Operation of low power scooters, animals, skis, skates, toy vehicles and electric golf cars.~~
  - (1) ~~A person riding a low power scooter upon a roadway where low power scooter travel is permitted shall be granted all of the rights and shall be subject to all of the duties and penalties applicable to the driver of a motor vehicle as set forth in the E.M.C. and the MTC, except those provisions of the E.M.C. or MTC that by their very nature, can have no application. Said riders shall also comply with the special rules set forth in this section and in Part 2, Section 220(1)(b) and (1)(c) of the MTC and when using streets and highways within the City of Englewood, and shall comply with any other applicable local ordinances regulating the operation of golf cars or low power scooters. Whenever the word "vehicle" is used in any of the driving rules applicable to golf cars and low powered scooter riders as set forth within Title 11, Chapter 1, of the EMC, such term shall be interpreted to include golf car and low power scooter.~~
  - (13) (a) ~~Except as otherwise provided in paragraph (b) of this subsection (13), any person who violates a provision of this section commits a class B traffic infraction.~~
    - (b) ~~Any person who violates subsection (6.5) of this section commits a class A traffic infraction.~~
  - (14) ~~Operation of an Electric Golf Car within the City of Englewood.~~
    - a) ~~A golf car used on City streets or roadways, must meet the definition stated in Section 42-1-102 C.R.S. and be powered by electricity.~~
    - b) ~~Golf cars will be allowed on the streets and roadways of the City with the following restrictions:~~
      - i) ~~Golf cars shall be allowed on City roadways with a maximum speed of thirty (30) miles per hour.~~

- ii) ~~Golf cars shall be prohibited on sidewalks and pedestrian or bicycle pathways.~~
- iii) ~~Golf cars shall not be permitted continuous travel on the following roadways within the City:~~

~~Evans Avenue~~

~~Dartmouth Avenue~~

~~Highway 285~~

~~Logan Street~~

~~Broadway Downing Street~~

~~South Santa Fe Drive~~

~~University Boulevard~~

~~Federal Avenue~~

~~Bellevue Avenue~~

~~Nor on sections of:~~

~~Navajo, from Quincy to Oxford~~

~~Windermere, from Oxford to Kenyon~~

- iv) ~~With the exception of South Santa Fe Drive, golf cars may cross the roadways listed above, or other roadways with a speed limit of greater than thirty (30) miles per hour if they do so at marked intersections.~~
- c) ~~All golf cars used on the streets or roadways of the City shall have the following operational equipment:~~
- i) ~~Head lamps.~~
  - ii) ~~Front and rear turn signals.~~
  - iii) ~~Tail lamps.~~
  - iv) ~~Stop lamps.~~
  - v) ~~Reflex reflectors; one red on each side as far to the rear as practicable and one red reflector on the rear of the golf car.~~
  - vi) ~~An exterior mirror mounted on the driver's side of the vehicle or an interior mirror.~~
  - vii) ~~A windshield, or the driver must be wearing state approved goggles.~~
  - viii) ~~Seat belts (type one or two) at all seat positions. Wearing seat belts is recommended but not required.~~
  - ix) ~~Parking brake.~~
  - x) ~~Display slow moving vehicle emblem per MTC, Section 234.~~

- x) Display Englewood golf car permit sticker on the rear.
  - d) Permits required:
    - i) Golf Car Vehicle Permit. The golf car shall be inspected for safety and required equipment by the Englewood Police Department every three years and issued a permit sticker. A vehicle driver must provide proof of current vehicle permit when requested by any enforcing officer.
    - ii) Vehicle owners must provide proof of a current driver's license and complying insurance at the time of permitting and at all times when operating the golf car on the City's roadways.
    - iii) Fees for the inspection and City permit shall be set by Council Resolution and incorporated within the City's Rate and Fee Schedule.
  - e) A golf car driver shall have in his or her possession a current valid driver's license or minor driver's license and proof of insurance for the golf car.
    - i) A golf car driver shall possess insurance consistent with Motor Vehicle Insurance limits required by State Statute.
  - f) Unauthorized use of golf cars.
    - i) An unlicensed driver of a golf cart shall not carry a passenger who is under twenty one years of age.
    - ii) A person under sixteen years of age may not operate a golf cart.
6. Part 1, Section 111, Powers of Local Authorities—is hereby deleted.
7. Part 1, Section 113, Appropriations for administration of article—is hereby deleted.
8. Part 1, Section 118, Establishment of wildlife crossing zones—is hereby deleted.
9. Part 2, Section 203, Unsafe Vehicles—Spot Inspections—is hereby deleted.
10. Part 2, Section 221 is hereby amended to include reference to electric scooters to read as follows:
221. Bicycle and personal mobility device equipment.
- (1)—No other provision of this part 2 and no provision of part 3 of this Code shall apply to a bicycle, electrical assisted bicycle, electric scooter or EPAMD or to equipment for use on a bicycle, electrical assisted bicycle, electric scooter or EPAMD except those provisions in this Code made specifically applicable to such a vehicle.
  - (2)—Every bicycle, electrical assisted bicycle, electric scooter or EPAMD in use at the times described in section 204 shall be equipped with a lamp on the front emitting a white light visible from a distance of at least five hundred feet to the front.
  - (3)—Every bicycle, electrical assisted bicycle, electric scooter or EPAMD shall be equipped with a red reflector of a type approved by the department, which shall be

~~visible for six hundred feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle.~~

- ~~(4) Every bicycle, electrical assisted bicycle, electric scooter or EPAMD when in use at the times described in section 204 shall be equipped with reflective material of sufficient size and reflectivity to be visible from both sides for six hundred feet when directly in front of lawful lower beams of head lamps on a motor vehicle or, in lieu of such reflective material, with a lighted lamp visible from both sides from a distance of at least five hundred feet.~~
- ~~(5) A bicycle, electrical assisted bicycle, electric scooter or EPAMD or its rider may be equipped with lights or reflectors in addition to those required by subsections (2) to (4) of this section.~~
- ~~(6) A bicycle, electric scooter or electrical assisted bicycle shall not be equipped with, nor shall any person use upon a bicycle or electrical assisted bicycle, any siren or whistle.~~
- ~~(7) Every bicycle, electric scooter or electrical assisted bicycle shall be equipped with a brake or brakes that will enable its rider to stop the bicycle or electrical assisted bicycle within twenty five feet from a speed of ten miles per hour on dry, level, clean pavement.~~
- ~~(8) A person engaged in the business of selling bicycles, electric scooter or electrical assisted bicycles at retail shall not sell any bicycle or electrical assisted bicycle unless the bicycle or electrical assisted bicycle has an identifying number permanently stamped or cast on its frame.~~
- ~~(9) (a) On or after January 1, 2018, every manufacturer or distributor of new electrical assisted bicycles intended for sale or distribution in this state shall permanently affix to each electrical assisted bicycle, in a prominent location, a label that contains the classification number, top assisted speed, and motor wattage of the electrical assisted bicycle. The label must be printed in the Arial font in at least nine point type.~~
  - ~~(b) A person shall not knowingly modify an electrical assisted bicycle so as to change the speed capability or motor engagement of the electrical assisted bicycle without also appropriately replacing, or causing to be replaced, the label indicating the classification required by subsection (9)(a) of this section.~~
- ~~(10) (a) An electrical assisted bicycle must comply with the equipment and manufacturing requirements for bicycles adopted by the United States consumer product safety commission and codified at 16 CFR 1512 or its successor regulation.~~
  - ~~(b) A class 2 electrical assisted bicycle must operate in a manner so that the electric motor is disengaged or ceases to function when the brakes are applied. Class 1 and class 3 electrical assisted bicycles must be equipped with a mechanism or circuit that cannot be bypassed and that causes the electric motor to disengage or cease to function when the rider stops pedaling.~~

- (c) ~~A class 3 electrical assisted bicycle must be equipped with a speedometer that displays, in miles per hours, the speed the electrical assisted bicycle is traveling.~~

~~(11) A person who violated this section commits a class B traffic infraction.~~

~~11. Part 2, Section 227(3)(b), Tinted Windows—is hereby deleted.~~

~~12. Part 2, Section 235, Minimum Standards for Commercial Vehicles—is hereby amended to read as follows:~~

**~~235. Minimum standards for commercial vehicles~~**

~~The City hereby incorporates by reference the Department of Public Safety Rules and Regulations Concerning Minimum Standards for the Operation of Commercial Vehicles as adopted by the Colorado Code of Regulations (C.C.R.) or as same shall be amended which incorporates the Code of Federal Regulations, Title 49, or as same shall be amended.~~

~~443. Part 2, Section 236(7)(b), Child Restraint Systems, regarding fine for a minor driver - is hereby deleted.~~

~~544. Part 5, Section 511, Permits Standards - is hereby deleted.~~

~~645. Part 6, Section 603, Obedience to Official Traffic Control Devices - is hereby amended by the addition of a new paragraph (6) which shall read as follows:~~

~~603. Obedience to Official Traffic Control Devices.~~

- ~~(6) Obedience to Official Truck Traffic Control Devices. Nor operator or driver of a truck or commercial vehicle shall disobey any official traffic control devices relating to or concerning truck routes or vehicle weight restrictions within the City of Englewood, except as provided by Section 11-1-1(B)(2), (4) E.M.C.~~

~~16. Part 6, Section 616, Wildlife Crossing Zones—increase in penalties for moving traffic—is hereby deleted.~~

~~17. Part 7, Section 711, Driving on Mountain Highways—is hereby deleted.~~

~~18. Part 7, Section 714, Requirement To Yield To A Bicycle In A Bicycle Lane—is hereby added as follows:~~

~~714. Requirement To Yield To A Bicycle In A Bicycle Lane.~~

- ~~(1) The driver of a vehicle shall yield the right of way to a bicyclist or other authorized user of a bicycle lane.~~
- ~~(2) "Bicycle Lane:" means a portion of the roadway that has been designated by striping, signage, or pavement markings for the exclusive use of bicyclists and other authorized users of bicycle lanes. "Bicycle Lane" includes an intersection if the bicycle lane is marked on opposite sides of the intersection.~~
- ~~(3) Any person who violates subsection (1) of this section commits a class A traffic infraction.~~

~~19. Part 8, Section 802(3), Pedestrians' Right of Way in Crosswalks—is hereby amended to read as follows:~~



~~802. Pedestrians' right of way in crosswalks.~~

~~(3) No pedestrian shall suddenly leave a curb or other place of safety and ride a bicycle, ride an electrical assisted bicycle, electric scooter, walk, or run into the path of a moving vehicle that is so close as to constitute an immediate hazard.~~

~~20. Part 10, Section 1011, Use of Runaway Vehicle Ramps is hereby deleted.~~

~~21. Part 11, Section 1101(1), Speed limits is hereby amended to add the following subsection(1)(a):~~

~~1101(1) Speed limits.~~

~~(1) No person shall drive a vehicle on a highway at a speed greater than is reasonable and prudent under the conditions then existing.~~

~~(a) No person shall drive a vehicle on a street or highway within the City at a speed greater than is reasonable and prudent under the conditions then existing. Except when a special hazard exists that requires a lower speed, any speed in excess of the posted speed at any location shall be prima facie evidence that the speed at which the vehicle is being operated is not reasonable or prudent for the conditions and is being operated in an unlawful manner.~~

~~722. Part 11, Section 1101(2), Speed Limits - is hereby amended to read as follows:~~

~~1101(2) Speed limits.~~

~~(a) Fifteen (15) miles per hour in any alley.~~

~~(b) Twenty-five (25) miles per hour in any business district, unless otherwise posted.~~

~~(c) Twenty-five (25) miles per hour in any residential district, unless otherwise posted.~~

~~23. Part 12, Section 1202, Parking or Abandonment of Vehicles shall be amended to read as follows:~~

~~1202. Parking or abandonment of vehicles.~~

~~(1) No person shall stop, park, or leave standing any vehicle, either attended or unattended, outside of a business or a residential district, upon the paved or improved and main traveled part of the highway. Nothing contained in this section shall apply to the driver of any vehicle which is disabled while on the paved or improved and main traveled portion of a highway in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position, subject, when applicable, to the emergency lighting requirements set forth in Section 230.~~

~~24. Part 12, Section 1203, Ski Areas to Install Signs is hereby deleted.~~

~~25. Part 12, Section 1204, Stopping, Standing, or Parking Prohibited in Specified Places is hereby amended to read as follows:~~

~~1204. Stopping, standing, or parking prohibited in specified places.~~

- ~~(1) Except as otherwise provided in subsection (4) of this section, no person shall stop, stand, or park a vehicle, including electric scooters, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or an official traffic control device, in any of the following places~~

~~826.~~ Part 12, Section 1205(2) and (3), Parking at Curb or Edge of Roadway - are hereby amended to read as follows:

1205. Parking at curb or edge of roadway.

- ~~(2)~~ Except as authorized by the City's Traffic Engineer or designee, every vehicle stopped or parked upon a one-way roadway shall be so stopped or parked parallel to the curb or edge of the roadway in the direction of authorized traffic movement, with its right-hand wheels within twelve (12") inches of the left-hand shoulder or with its left-hand wheels within twelve (12") of the left-hand curb or as close as practicable to the left edge of the left hand shoulder.
- ~~(3)~~ The local authority may, through its Traffic Engineer or designee, permit angle parking on any roadway; except that angle parking shall not be permitted on any State highway unless the Colorado Department of Transportation has determined by resolution or order entered in its minutes that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.

~~27.~~ Part 14, Section 1401(1), Reckless Driving "Electric Scooter" is hereby amended to read as follows:

~~1401. Reckless driving - penalty.~~

- ~~(1) A person who drives a motor vehicle, bicycle, electrical assisted bicycle, or low-power scooter in such a manner as to indicate either a wanton or a willful disregard for the safety of persons or property is guilty of reckless driving. A person convicted of reckless driving of a bicycle or electrical assisted bicycle shall not be subject to the provisions of Section 42-2-127, C.R.S.~~

~~28.~~ Part 14, Section 1401(2), Reckless Driving — Penalty — is hereby deleted.

~~29.~~ Part 14, Section 1402, Careless Driving — Penalty - is amended to read as follows:

1402. Careless driving - penalty.

- ~~(1)~~ A person who drives a motor vehicle, bicycle, electrical assisted bicycle, electric scooter, or low-power scooter in a careless and imprudent manner, without due regard for the width, grade, curves, corners, traffic, and use of the streets and highways and all other attendant circumstances, is guilty of careless driving. A person convicted of careless driving of a bicycle, ~~or~~ electric scooter shall not be subject to the provisions of C.R.S. §Section 42-2-127, C.R.S.
- ~~(2)(a) Failed to Yield Right of Way to Bicyclist or Other Authorized User in Bicycle Lane Caused Crash is hereby added. Except as otherwise provided in paragraphs (b) and (c) of this subsection (2), any person who violates any provision of this section commits a class 2 misdemeanor traffic offense.~~

- (b) If the person's actions are the proximate cause of bodily injury to another, such person commits a class 1 misdemeanor traffic offense.
  - (c) If the person's actions are the proximate cause of death to another, such person commits a class 1 misdemeanor traffic offense.
  - ~~(3) Failed to Yield Right of Way to Bicyclist or Other Authorized User in Bicycle Lane Caused Bodily Injury, is hereby added.~~
  - ~~(4) A person who drives a motor vehicle, bicycle, electrical assisted bicycle, or low-power scooter in a careless and imprudent manner, without due regard for the width, grade, curves, corners, traffic, and use of the streets and highways and all other attendant circumstances, is guilty of careless driving. A person convicted of careless driving of a bicycle or electrical assisted bicycle shall not be subject to the provisions of Section 42-2-127, C.R.S.~~
  - ~~(5) Any person who violates any provision of this section commits a class 2 misdemeanor traffic offense, but, if the person's actions are the proximate cause of bodily injury or death to another, such person commits a class 1 misdemeanor traffic offense.~~
30. ~~Part 14, Section 1402.5 Vulnerable Road User is hereby added.~~
- ~~1402.5 Vulnerable road user—prohibition.~~
- ~~(1) Definition. As used in this section, unless the context otherwise requires, "vulnerable road user" means:~~
    - ~~(a) A pedestrian;~~
    - ~~(b) A person engaged in work upon a roadway or upon utility facilities along a roadway;~~
    - ~~(c) A person providing emergency services within a right of way;~~
    - ~~(d) A peace officer who is outside a motor vehicle and performing the peace officer's duties in a right of way;~~
    - ~~(e) A person riding or leading an animal; or~~
    - ~~(f) A person lawfully using any of the following on a public right of way, crosswalk, or shoulder of the roadway:~~
      - ~~(i) A bicycle, electrical assisted bicycle, tricycle, or other pedal-powered vehicle;~~
      - ~~(ii) A farm tractor or similar vehicle designed primarily for farm use;~~
      - ~~(iii) A skateboard;~~
      - ~~(iv) Roller skates;~~
      - ~~(v) In-line skates;~~
      - ~~(vi) A scooter;~~
      - ~~(vii) A moped;~~

- ~~(viii) A motorcycle;~~
- ~~(ix) An off-highway vehicle;~~
- ~~(x) An animal-drawn, wheeled vehicle;~~
- ~~(xi) Farm equipment;~~
- ~~(xii) A sled;~~
- ~~(xiii) An electric personal assistive mobility device;~~
- ~~(xiv) A wheelchair;~~
- ~~(xv) A baby stroller; or~~
- ~~(xvi) A nonmotorized pull-wagon.~~

~~(2) Prohibition. A person who drives a motor vehicle in violation of Section 1402 of the MTC and whose actions are the proximate cause of serious bodily injury, as defined in Section 1601, to a vulnerable road user commits infliction of serious bodily injury to a vulnerable road user.~~

~~(3) Violations and penalties.~~

- ~~(a) Infliction of serious bodily injury to a vulnerable road user is a class 1 traffic misdemeanor.~~

~~31. Part 14, Section 1407.5, Splash Guards (3)(g) is hereby amended to read as follows:~~

~~1407.5.(3) Splash guards when required.~~

~~(3) This section does not apply to:~~

- ~~(a) Passenger-carrying motor vehicles registered pursuant to Section 42-3-306(2), C.R.S.;~~
- ~~(b) Trucks and truck tractors registered pursuant to Section 42-3-306(4) or (5) C.R.S., having an empty weight of ten thousand pounds or less;~~
- ~~(c) Trailers equipped with fenders or utility pole trailers;~~
- ~~(d) Vehicles while involved in chip and seal or paving operations or road widening equipment;~~
- ~~(e) Truck tractors or converter dollies when used in combination with other vehicles;~~
- ~~(f) Vehicles drawn by animals; or~~
- ~~(g) Bicycles, electric scooters or electrical-assisted bicycles.~~

~~32. Sections (1), (2), (4)(a), and (6) of Part 14, Section 1409, Compulsory Insurance are hereby amended to read as follows:~~

~~1409. Compulsory insurance penalty legislative intent.~~

- ~~(1) No owner of a motor vehicle or low-power scooter required to be registered in this municipality shall operate the vehicle or permit it to be operated on the public~~

~~highways of this municipality when the owner has failed to have a complying policy or certificate of self insurance in full force and effect as required by law.~~

~~(2) No person shall operate a motor vehicle or low power scooter on the public highways of this municipality without a complying policy or certificate of self insurance in full force and effect as required by law.~~

~~(4) (a) Any person who violates the provision of subsections (1), (2), or (3) of this section commits a traffic offense.~~

~~(6) No person charged with violating subsections (1), (2), or (3) of this section shall be convicted if he or she produces in court a bona fide complying policy or certificate of self insurance in full force and effect as required by law at the time of the alleged violation.~~

~~33. Part 14, Section 1410.5, Sections (2) and (3), providing false evidence of proof of motor vehicle insurance — penalty — are hereby deleted.~~

~~34. Part 14, Section 1412, sections (1) to (13), Operation of bicycles and other human-powered vehicles — are hereby amended as follows:~~

~~1412. Operation of bicycles and other human powered vehicles.~~

~~(1) Every person riding a bicycle or electrical assisted bicycle or electric scooters shall have all of the rights and duties applicable to the driver of any other vehicle under this Code, except as to special regulations in this Code and except as to those provisions which by their nature can have no application. Said riders shall comply with the rules set forth in this section and Section 221, and, when using streets and highways within incorporated cities and towns, shall be subject to local ordinances regulating the operation of bicycles, electric scooters and electrical assisted bicycles as provided in this Title 11, Chapter 1 and C.R.S. Section 42-4-111.~~

~~(2) It is the intent of the general assembly that nothing contained in House Bill No. 1246, enacted at the second regular session of the fifty-sixth general assembly, shall in any way be construed to modify or increase the duty of the department of transportation or any political subdivision to sign or maintain highways or sidewalks or to affect or increase the liability of the state of Colorado or any political subdivision under the "Colorado Governmental Immunity Act," Code 10 of Title 24, C.R.S.~~

~~(3) No bicycle or electrical assisted bicycle or electric scooters shall be used to carry more persons at one time than the number for which it is designed or equipped.~~

~~(4) No person riding upon any bicycle or electrical assisted bicycle or electric scooters shall attach the same or himself or herself to any motor vehicle upon a roadway.~~

~~(5) (a) Any person operating a bicycle or an electrical assisted bicycle or electric scooters upon a roadway at less than the normal speed of traffic shall ride in the right hand lane, subject to the following conditions:~~

- ~~(i) If the right hand lane then available for traffic is wide enough to be safely shared with overtaking vehicles, a bicyclist shall ride far enough to the right as judged safe by the bicyclist to facilitate the movement of such overtaking vehicles unless other conditions make it unsafe to do so.~~
  - ~~(ii) A bicyclist may use a lane other than the right hand lane when:
    - ~~(A) Preparing for a left turn at an intersection or into a private roadway or driveway;~~
    - ~~(B) Overtaking a slower vehicle; or~~
    - ~~(C) Taking reasonably necessary precautions to avoid hazards or road conditions.~~~~
  - ~~(iii) Upon approaching an intersection where right turns are permitted and there is a dedicated right turn lane, a bicyclist may ride on the left hand portion of the dedicated right turn lane even if the bicyclist does not intend to turn right.~~
- ~~(b) A bicyclist or electric scooter rider shall not be expected or required to:
  - ~~(i) Ride over or through hazards at the edge of a roadway, including but not limited to fixed or moving objects, parked or moving vehicles, bicycles, pedestrians, animals, surface hazards, or narrow lanes; or~~
  - ~~(ii) Ride without a reasonable safety margin on the right hand side of the roadway.~~~~
- ~~(c) A person operating a bicycle or an electrical assisted bicycle or electric scooters upon a one-way roadway with two or more marked traffic lanes may ride as near to the left hand curb or edge of such roadway as judged safe by the bicyclist, subject to the following conditions:
  - ~~(i) If the left hand lane then available for traffic is wide enough to be safely shared with overtaking vehicles, a bicyclist shall ride far enough to the left as judged safe by the bicyclist to facilitate the movement of such overtaking vehicles unless other conditions make it unsafe to do so.~~
  - ~~(ii) A bicyclist or electric scooter rider shall not be expected or required to:
    - ~~(A) Ride over or through hazards at the edge of a roadway, including but not limited to fixed or moving objects, parked or moving vehicles, bicycles, pedestrians, animals, surface hazards, or narrow lanes; or~~
    - ~~(B) Ride without a reasonable safety margin on the left hand side of the roadway.~~~~~~

- ~~(6) (a) Persons riding bicycles or electrical assisted bicycles or electric scooters upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.~~

~~(b) Persons riding bicycles or electrical assisted bicycles or electric scooters two abreast shall not impede the normal and reasonable movement of traffic and, on a laned roadway, shall ride within a single lane.~~
- ~~(7) A person operating a bicycle or electrical assisted bicycle or electric scooters shall keep at least one hand on the handlebars at all times.~~
- ~~(8) (a) A person riding a bicycle or electrical assisted bicycle or electric scooters intending to turn left shall follow a course described in sections 901(1), 903, and 1007 or may make a left turn in the manner prescribed in paragraph (b) of this subsection (8).~~

~~(b) A person riding a bicycle or electrical assisted bicycle or electric scooters intending to turn left shall approach the turn as closely as practicable to the right hand curb or edge of the roadway. After proceeding across the intersecting roadway to the far corner of the curb or intersection of the roadway edges, the bicyclist shall stop, as much as practicable, out of the way of traffic. After stopping, the bicyclist shall yield to any traffic proceeding in either direction along the roadway that the bicyclist had been using. After yielding and complying with any official traffic control device or police officer regulating traffic on the highway along which the bicyclist intends to proceed, the bicyclist may proceed in the new direction.~~

~~(c) Notwithstanding the provisions of paragraphs (a) and (b) of this subsection (8), the transportation commission and local authorities in their respective jurisdictions may cause official traffic control devices to be placed on roadways and thereby require and direct that a specific course be traveled.~~
- ~~(9) (a) Except as otherwise provided in this subsection (9), every person riding a bicycle or electrical assisted bicycle or electric scooters shall signal the intention to turn or stop in accordance with Section 903; except that a person riding a bicycle or electrical assisted bicycle or electric scooters may signal a right turn with the right arm extended horizontally.~~

~~(b) A signal of intention to turn right or left when required shall be given continuously during not less than the last one hundred feet traveled by the bicycle or electrical assisted bicycle or electric scooters before turning and shall be given while the bicycle or electrical assisted bicycle or electric scooters is stopped waiting to turn. A signal by hand and arm need not be given continuously if the hand is needed in the control or operation of the bicycle or electrical assisted bicycle or electric scooters.~~
- ~~(10) (a) A person riding a bicycle or electrical assisted bicycle or electric scooters upon and along a sidewalk or pathway or across a roadway upon and along a crosswalk shall yield the right of way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian. A person riding a bicycle or electric scooter in a crosswalk shall do so in a manner that is safe for pedestrians.~~

- ~~(b) A person shall not ride a bicycle or electrical assisted bicycle or electric scooters upon and along a sidewalk or pathway or across a roadway upon and along a crosswalk where such use of bicycles or electrical assisted bicycles or electric scooters is prohibited by official traffic control devices or local ordinances. A person riding a bicycle or electrical assisted bicycle or electric scooters shall dismount before entering any crosswalk where required by official traffic control devices or local ordinances.~~
  - ~~(c) A person riding or walking a bicycle or electrical assisted bicycle or electric scooters upon and along a sidewalk or pathway or across a roadway upon and along a crosswalk shall have all the rights and duties applicable to a pedestrian under the same circumstances, including, but not limited to, the rights and duties granted and required by Section 802.~~
  - (11) ~~(a) A person may park a bicycle or electrical assisted bicycle or electric scooters on a sidewalk unless prohibited or restricted by an official traffic control device or local ordinance.~~
    - ~~(b) A bicycle or electrical assisted bicycle or electric scooters parked on a sidewalk shall not impede the normal and reasonable movement of pedestrian or other traffic.~~
    - ~~(c) A bicycle or electrical assisted bicycle or electric scooters may be parked on the road at any angle to the curb or edge of the road at any location where parking is allowed.~~
    - ~~(d) A bicycle or electrical assisted bicycle or electric scooters may be parked on the road abreast of another such bicycle or bicycles or electric scooters near the side of the road or any location where parking is allowed in such a manner as does not impede the normal and reasonable movement of traffic.~~
    - ~~(e) In all other respects, bicycles or electrical assisted bicycles or electric scooters parked anywhere on a highway shall conform to the provisions of part 12 of this Code regulating the parking of vehicles.~~
  - (12) ~~(a) Any person who violates any provision of this section commits a class 2 misdemeanor traffic offense; except that Section 42-2-127, C.R.S., shall not apply.~~
    - ~~(b) Any person riding a bicycle or electrical assisted bicycle or electric scooters who violates any provision of this Code other than this section which is applicable to such a vehicle and for which a penalty is specified shall be subject to the same specified penalty as any other vehicle; except that Section 42-2-127, C.R.S., shall not apply.~~
  - (13) ~~Upon request, the law enforcement agency having jurisdiction shall complete a report concerning an injury or death incident that involves a bicycle or electrical assisted bicycle or electric scooters on the roadways of the state, even if such accident does not involve a motor vehicle.~~
35. ~~Part 14, Section 1412.5, Local adoption of alternative regulations of bicycles and electric scooters approaching intersections is hereby added.~~



~~1412.5 Alternative regulations of bicycles and electric scooters approaching intersections.~~

~~(1) The City may adopt an ordinance regarding the following:~~

- ~~(a) A person riding a bicycle, electrical assisted bicycle, or electric scooter and approaching an intersection of a roadway with a stop sign shall slow down and, if required for safety, stop before entering the intersection. If a stop is not required for safety, the person shall slow to a reasonable speed and yield the right-of-way to any traffic or pedestrian in or approaching the intersection. After the person has slowed to a reasonable speed and yielded the right-of-way if required, the person may cautiously make a turn or proceed through the intersection without stopping.~~
- ~~(b) For purposes of this subsection (1), a reasonable speed is fifteen miles per hour or less. The City, by ordinance, may reduce the maximum reasonable speed at any individual intersection to ten miles per hour or raise the maximum reasonable speed to twenty miles per hour if the City also posts signs at the intersection stating that lower or higher speed limitation.~~
- ~~(c) A person riding a bicycle, electrical assisted bicycle, or electric scooter and approaching an intersection of a roadway with an illuminated red traffic control signal shall stop before entering the intersection and shall yield to all other traffic and pedestrians. Once the person has yielded, the person may cautiously proceed in the same direction through the intersection or make a right hand turn. When a red traffic control signal is illuminated, a person shall not proceed through the intersection or turn right if an oncoming vehicle is turning or preparing to turn left in front of the person.~~
- ~~(d) A person riding a bicycle, electrical assisted bicycle, or electric scooter approaching an intersection of a roadway with an illuminated red traffic control signal may make a left hand turn only if turning onto a one-way street and only after stopping and yielding to other traffic and pedestrians. However, a person shall not turn left if a vehicle is traveling in the same direction as the person and the vehicle is turning or preparing to turn left. If the person is not turning left onto a one-way street, the person shall not make a left hand turn at an intersection while a red traffic control signal is illuminated.~~

~~(2) As used in this section:~~

- ~~(a) "Electrical assisted bicycle" means the term as it is defined in Appendix—Definitions.~~

~~3610.~~ Part 17, Section 1701(3), (4), (5), (6), (7) and (8), Traffic Offenses Classified — Schedule of Fines (regarding fine schedules) - are hereby deleted.

~~3711.~~ Part 17, Section 1709, Penalty Assessment - is hereby deleted.

~~3812.~~ Part 17, Section 1710, Failure to Pay Penalty - is hereby deleted.

~~39.~~ Part 17, Section 1716, Notice to Appear or Pay Fine Failure to Appear Penalty—is hereby amended to read as follows:

~~1716. Notice to appear or pay fine.~~

- ~~(1) For the purposes of the provisions of this Title 11, Chapter 1 (MTC) tender by an arresting officer of the summons shall constitute notice to the violator to appear in court or at the Violations Bureau within the times and dates specified on such summons.~~

~~40. Part 17, Section 1717, Conviction — Attendance at Driver Improvement School — is amended to read as follows:~~

~~1717. Conviction attendance at driver improvement school.~~

- ~~(1) Except as otherwise provided in subsection (2) of this section, whenever a person has been convicted of violating any provision of this Code or other law regulating the operation of vehicles on streets or highways, the court, in addition to the penalty provided for the violation or as a condition of either the probation or the suspension of all or any portion of any fine or sentence of imprisonment for a violation other than a traffic infraction, may require the defendant, at the defendant's own expense, if any, to attend and satisfactorily complete a course of instruction at any designated driver improvement school located and operating in the county of the defendant's residence and providing instruction in the traffic laws of this state, instruction in recognition of hazardous traffic situations, and instruction in traffic accident prevention. Such school shall be approved by the court.~~

~~41. Part 18, Vehicles Abandoned on Public Property — is hereby deleted in its entirety.~~

~~CB. Appendix — Definitions, Section 102(42)(c) — is hereby amended to add the following definitions:~~

- ~~(10.13) "Bicycle Lane" means a portion of the roadway that has been designated by striping, signage, or pavement markings for the exclusive use of bicyclists and other authorized users of bicycle lanes. "Bicycle Lane" includes an intersection if the bicycle lane is marked on opposite sides of the intersection.~~

- ~~(10.25) "Bike Path or Pedestrian Path" means that part of a roadway or separate path designed for or reserved for the exclusive use of pedestrians, bicycles or human powered vehicles.~~

- ~~(28.8) "Electric Scooter" means a device weighing less than one hundred pounds, with handlebars and an electric motor that is powered by electric motor and has a maximum speed of twenty miles per hour on a paved level surface when powered solely by the electric motor. Electric scooter does not include an electrical assisted bicycle, EPMAD, motorcycle or low power scooter.~~

- ~~(58) "Motor Vehicle" means any self propelled vehicle that is designed primarily for travel on the public highways and that is generally and commonly used to transport persons and property over the public highways or a low speed electric vehicle; except that the term does not include electrical assisted bicycles, low power scooters, wheelchairs, or vehicles moved solely by human power.~~

- ~~(103.5) "Toy Vehicle"~~

- (a) ~~"Toy vehicle" means any vehicle that has wheels and is not designed for use on public highways or for off road use.~~
- (b) ~~"Toy vehicle" includes, but is not limited to, gas powered or electric powered vehicles commonly known as mini bikes, "pocket" bikes, kamikaze boards, go peds, and stand up scooters. It does not include electric scooters.~~
- (c) ~~"Toy vehicle" does not include off highway vehicles or snowmobiles.~~

#### 11-1-2 : Application and Interpretation of Regulations.

- A. *Application:* This Chapter 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—careless, 1402—reckless, 606—unauthorized signs or devices, and 1413—eluding of article 1 of the adopted Model Traffic Code, and subsection 11-1-9(B) of this Municipal Code, Investigation Of Traffic Accidents, respectively, concerning reckless driving, careless driving, unauthorized signs or devices, eluding police and accident investigation shall apply not only to public places and ways but also throughout this municipality.~~
- B. *Interpretation:* This Chapter 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 the ordinance are adopted. The 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 article or Section thereof.~~

#### 11-1-4 : ~~Vehicle Emissions.~~ Driving Under Restraint for an Outstanding Judgment.

- A. It is unlawful for any person to drive a motor vehicle or off-highway vehicle upon any highway of this state with knowledge that the person's license or privilege to drive, either as a resident or a non-resident, is under restraint for an outstanding judgment. ~~*Visible Emissions:* No owner or operator of any vehicle shall cause or permit to be emitted from any gasoline powered engine any visible air contaminant(s). Such emissions that are a direct result of cold engine startup shall be exempt.~~
- B. The municipal court shall not waive or reduce the offense's three-point penalty. ~~*State Certification Requirements:*~~
  - 1. ~~It is unlawful for any person to drive, stop, park, or for the owner or person in charge of any vehicle to cause or knowingly permit to be driven, stopped or parked on any street or highway within the City, any vehicle which is required under the laws of the State to be inspected pursuant to the Automobile Inspection and Readjustment Program, established pursuant to Sections 42-4-306.5 to 42-4-316, C.R.S., unless such vehicle has been inspected at an authorized inspection station and has attached thereto, in proper position, a valid and unexpired certification of emissions control, as required by the laws of the State.~~
  - 2. ~~In any prosecution of the provisions of this Section, proof that the vehicle described in the complaint was driven, parked or stopped in violation of this Section, together with~~

~~proof that the defendant named in the complaint was at the time of such driving, stopping or parking, a registered owner of the vehicle, shall constitute prima facie evidence that the defendant was the person who drove, parked, stopped or knowingly permitted to be driven, stopped or parked, such unattended vehicle at the place where and for the time which such violation occurred.~~

#### 11-1-5 : Skateboards, Roller Skates, Roller Blades or Roller Skis.

##### A. *Definitions*

*Private Property:* Any real property not owned by any governmental entity and which no governmental entity has any legal or equitable interest therein. It shall include any private property which is used by the general public for parking purposes.

*Roller Skates, Roller Blades, Roller Skis:* A shoe with small wheels attached to it or a runner made from wood, metal, plastic or similar material attached to a frame usually shaped to fit the sole of a shoe or footwear, with small wheels attached used for gliding or skating on hard surfaces, usually floors, streets, sidewalks, parking lots and similar places.

*Skateboard:* A short, narrow board having a set of usually four (4) roller skate wheels mounted under it.

~~B. This Section shall be in addition to Section 11-1-1 of this Chapter (sections 109 and 1412 of the 1995 Model Traffic Code).~~

~~B. C.~~ It shall be unlawful for any person to operate or ride a skateboard, roller skates or roller skis in any of the following places:

1. On any public property where signs are posted prohibiting such use, and as prohibited in Section 11-1-1 of this Chapter ~~(sections 109 and 1412 of the 1995 Model Traffic Code).~~
2. On private property, unless permission has been given by the owner, ~~lessee or person in charge of the property.~~

~~C. D.~~ Operators of skateboards, roller skates, roller blades or roller skis shall yield the right-of-way to other pedestrians using City sidewalks, and shall not otherwise endanger or interfere with pedestrian traffic on those sidewalks.

#### 11-1-7 : ~~Motor Vehicle Noise.~~<sup>†</sup> Assessment of Points.

~~A. —Mufflers, Prevention Of Noise:~~ It shall be unlawful for any person to operate, or for the owner to cause or knowingly permit the operation of, any vehicle or combination of vehicles within this Municipality, which vehicle is not equipped with an adequate muffler in constant operation and properly maintained to prevent any unnecessary noise, and no such muffler or exhaust system shall be modified or used with a cutoff, bypass or similar device. No person shall modify the exhaust system of a motor vehicle in a manner which will amplify or increase the noise emitted by the motor of such vehicle above that emitted by a muffler of the type

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<sup>†</sup>See Title 6, Chapter 2 of this Code.

originally installed on the vehicle. If a person receives a traffic infraction citation for a violation under this code, and such person pays the fine at the Violations Bureau within 30 days of issuance of the summons, the points assessed for the traffic violation shall be reduced as specified in C.R.S. § 42-2-127(5.5). This section does not otherwise impact prosecutorial or judicial discretion in resolving matters before the Court.

11-1-8 : Miscellaneous Road Rules.

- A. *Permits Required For Parades Or Processions:* No funeral procession or parade except the ~~forces of the~~ United States Armed Services, the military forces of this State and the forces of the Police and Fire Divisions, shall occupy, march or proceed along any street ~~in this Municipality~~ except in accordance with a permit issued by the Traffic Engineer, ~~and in compliance with such other regulations as are set forth in this Code which may apply.~~

11-1-9 : ~~Traffic Administration.~~

- A. ~~*Traffic Duties Of Police Division:* It shall be the duty of the Police Division to enforce the provisions of this Code and the State vehicle laws applicable to traffic in this Municipality, to make arrests for traffic violations, to investigate traffic accidents, to cooperate with the Traffic Engineer and/or other officials of this Municipality in the administration of this Traffic Code and in developing ways and means to improve traffic conditions, and to carry out those duties specially imposed by this Code.~~
- B. ~~*Investigation Of Traffic Accidents:* It shall be the duty of the Police Division to investigate traffic accidents occurring within this Municipality either by investigation at the time of or at the scene of the accident or thereafter by interviewing participants or witnesses, to issue summonses and penalty assessment notices for traffic violations in connection with traffic accidents, and to assist in the prosecution of those persons charged with violations of law or ordinance causing or contributing to accidents.~~

11-1-10 : ~~Penalty.~~

~~The following penalty shall apply to this Chapter:~~

- A. ~~It is unlawful for any person to violate any of the provisions stated or adopted in this Chapter.~~
- B. ~~Every person convicted of a traffic violation shall be punished in accordance with Section 1-4-1 of this Code.~~

**Section 3.**     **Effective date.**

If necessary due to software or citation printing, Englewood Municipal Court may delay implementation for a reasonable time of some or all of the provisions above until the Court's software is configured and/or until new citations are printed.

**Section 4.**     **General Provisions**

The following general provisions and findings are applicable to the interpretation and application of this Ordinance:

A. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance or its application to other persons or circumstances.

B. Inconsistent Ordinances. All other Ordinances or portions thereof inconsistent or conflicting with this Ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

C. Effect of repeal or modification. The repeal or modification of any provision of the Code of the City of Englewood by this Ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purposes of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

D. Safety Clauses. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Englewood, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. This Safety Clause is not intended to affect a Citizen right to challenge this Ordinance through referendum pursuant to City of Englewood Charter 47.

E. Publication. Publication of this Ordinance may be by reference or in full in the City's official newspaper, the City's official website, or both. Publication shall be effective upon the first publication by either authorized method. Manuals, Municipal Code, contracts, and other documents approved by reference in any Council Bill may be published by reference or in full on the City's official website; such documents shall be available at the City Clerk's office and in the City Council meeting agenda packet when the legislation was adopted.

F. Actions Authorized to Effectuate this Ordinance. The Mayor is hereby authorized and directed to execute all documents necessary to effectuate the approval authorized by this Ordinance, and the City Clerk is hereby authorized and directed to attest to such execution by the Mayor where necessary. In the absence of the Mayor, the Mayor Pro Tem is hereby authorized to execute the above-referenced documents. The execution of any documents by said officials shall be conclusive evidence of the approval by the City of such documents in accordance with the terms thereof and this Ordinance. City staff is further authorized to take additional actions as may be necessary to implement the provisions of this Ordinance.

G. Enforcement. To the extent this ordinance establishes a required or prohibited action punishable by law, unless otherwise specifically provided in Englewood Municipal Code or applicable law, violations shall be subject to the General Penalty provisions contained within EMC § 1-4-1.

Introduced and passed on first reading on the 18<sup>th</sup> day of February, 2025; and on second reading, in identical form to the first reading, on the 3<sup>rd</sup> day of March, 2025.

Signed by:  


Othoniel Sierra, Mayor

ATTEST:

DocuSigned by:  


Stephanie Carlile, City Clerk

I, Stephanie Carlile, City Clerk of the City of Englewood, Colorado, hereby certify that the above and foregoing is a true copy of an Ordinance, introduced and passed in identical form on first and second reading on the dates indicated above; and published two days after each passage on the City's official website for at least thirty (30) days thereafter. The Ordinance shall become effective thirty (30) days after first publication on the City's official website.

DocuSigned by:  


Stephanie Carlile