

## **TOWN OF DOLORES**

### **ORDINANCE NO 549 SERIES 2020**

**AN ORDINANCE FOR THE REGULATION OF TRAFFIC BY THE TOWN OF DOLORES COLORADO; ADOPTING BY REFERENCE THE 2020 EDITION OF THE "MODEL TRAFFIC CODE" REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING PENALTIES FOR VIOLATION THEREOF. BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN DOLORES, COLORADO.**

WHEREAS, pursuant to § 42-4-110(1)(b), C.R.S., 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, the Colorado Department of Transportation has prepared and adopted a 2020 revised edition of the Model Traffic Code for Colorado; and

WHEREAS, the Town Board of the Town of Dolores, Colorado ("Town") desires to adopt the 2020 revised edition of the Model Traffic Code for Colorado, with additions and modifications as specified below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF DOLORES, COLORADO:

Chapter 10.04 of the Dolores Municipal Code is hereby repealed and replaced in its entirety with the following revised Chapter 10.04.

#### **Section 10.04.010. Adoption.**

Pursuant to parts 1 and 2 of article 16 of title 31 and part 4 of article 15 of title 30, C.R.S., there is hereby adopted by reference the 2020 edition of the "Model Traffic Code" promulgated and published as such by the Colorado Department of Transportation, Traffic Engineering and Safety Branch, 2829 W Howard Place, Denver, CO 80204. The subject matter of the Model Traffic Code relates primarily to comprehensive traffic control regulations for the Town of Dolores Colorado.

The purpose of this Ordinance 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. Three (3) copies of the Model Traffic Code adopted herein are now filed in the office of the Clerk of the Town of Dolores, Colorado, and may be inspected during regular business hours or online at <https://www.codot.gov/library/traffic/traffic-manuals-guidelines/fed-state-co-traffic-manuals/2020-model-traffic-code-for-colorado>.

#### **Section 10.04.020. Deletions.**

The 2020 edition of the Model Traffic Code is adopted as if set out at length save and except the following articles and/or sections which are declared to be inapplicable to this municipality and are therefore expressly deleted:

- a. Section 221 subsections (2) through (11).
- b. Section 1412.
- c. Part 17 Penalties and Procedure.
- d. Part 19 School Bus Requirements.

#### **Section 10.40.030. Additions or Modifications.**

The said adopted Code is subject to the following additions or modifications:

- a. Section 111 Model Traffic Code Speed Limits are modified as follows:
  - i. Except when a special hazard exists that requires a lower speed the following speed shall be lawful:
    - (1) Twenty miles per hour on Central Avenue except for the school zone between 11<sup>th</sup> Street and 14<sup>th</sup> Street where the speed limit shall be fifteen miles per hour when school is in session;
    - (2) Fifteen miles per hour on all other streets and alleys of the Town of Dolores.
    - (3) Such speed limits as set by the State of Colorado on Railroad Ave (Highway 145) including those set for the school zone when school is in session between the school zone traffic control devices maintained by the State of Colorado in the vicinity of 11<sup>th</sup> Street and 14<sup>th</sup> Street.
- b. Part 17 Penalties. A person who is convicted of a violation of this title and/or the provisions of the Model Traffic Code as adopted by the Town of Dolores shall be punished as set forth in Section 1.12.010 Penalties now in effect or as may be amended from time to time.
- c. Section 1802(10) No operable vehicle registered to a resident of the Town of Dolores or guest of a resident of the Town of Dolores with current registration that is lawfully parked on the streets or alleys of the Town of Dolores shall be deemed to be an abandoned vehicle.
- d. Nothing in this ordinance shall be interpreted as permitting Off Highway Vehicles or Snowmobiles from operating on the streets and alleys of the Town of Dolores.
- e. It shall be unlawful to camp overnight between the hours of 12:00am and 6:00am inside of a vehicle that is otherwise lawfully parked on the streets or alleys of the Town of Dolores, except as may be permitted by the Dolores Land Use Code.
- f. It shall be unlawful to operate a snowmobile on the streets and alleys of the Town of Dolores.
- g. Nothing in this ordinance is intended to amend Chapter 10.12 Parking or 10.14 of the Dolores Municipal Code.

**Section 10.04.040. Penalties.**

The following penalties, herewith set forth in full, shall apply to this ordinance:

(a) It is unlawful for any person to violate any of the provisions adopted in this ordinance.

(b) Every person convicted of a violation of any provision adopted in this ordinance shall be punished for each offence by a fine of up to four hundred ninety-nine dollars or in accordance with a fine schedule adopted by Resolution by the Town of Dolores, whichever is less.

**Section 0.04.050. Application.**

This ordinance 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 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 of Dolores.

**Section 10.04.060. Validity.**

If any part or parts of this ordinance are for any reason held to be invalid such decision shall not affect the validity of the remaining portions of this ordinance. The Town Board of Trustees hereby declares that it would have passed this ordinance and each part or parts thereof, irrespective of the fact that any one part or parts be declared invalid.

**Section 10.04.070. Repeal.**

Existing or parts of ordinances (identifying ordinance number may be cited) covering the same matters as embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this ordinance.

**Section 10.04.080. Interpretation.**

This ordinance 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 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 article or section thereof.

**Section 10.04.090. Certification.**

The Town Clerk shall certify to the passage of this ordinance and make not less than three copies of the adopted Code available for inspection by the public during regular business hours.

INTRODUCED AND READ on first reading at the regular meeting of the Trustees of the Town of Dolores on January 11, 2021 at Dolores, Colorado.

Passed adopted and approved on the first reading this 11<sup>th</sup> day of January 2021.

DOLORS BOARD OF TRUSTEES:

By: \_\_\_\_\_

Attest:

By:

\_\_\_\_\_

PUBLIC HEARING. This ordinance shall be considered for second or final reading on the 8<sup>th</sup> day of February 2021 in the Town Board Chambers in Town Hall, Dolores, Colorado, at which time and place all persons may appear and be heard concerning the same.

Passed adopted and approved on the second and final reading this 8<sup>th</sup> day of February, 2021.

DOLORS BOARD OF TRUSTEES:

By: \_\_\_\_\_

Attest:

By:

\_\_\_\_\_