

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 745**

**AN ORDINANCE OF THE TOWN OF MEAD COLORADO, RESTRICTING
THE USE OF STREETS BY TRUCK-TRACTORS AND SEMI-TRAILER, AND
PROVIDING A PENALTY FOR THE VIOLATION THEREOF.**

WHEREAS, pursuant to C.R.S. §31-15-401, as amended, the governing body of Town of Mead, as a statutory municipality, has the power to establish regulations which may be necessary for the promotion of health, safety and welfare; and

WHEREAS, pursuant to C.R.S. §31-15-401, as amended, the governing body of Town of Mead has the power to pass and enforce all necessary police ordinances; and

WHEREAS, the Board of Trustees for the Town of Mead declares that the use of streets by truck-tractors and semi-trailers hinders the safe passage of vehicles on municipal streets, alleys and other public rights of way and contributes to the rapid deterioration and maintenance of the same; and

WHEREAS, the Board of Trustees for the Town of Mead declares that the regulation of the use of public streets by truck-tractors and semi-trailers is necessary to protect the health, safety and welfare of the citizens of the Town;

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE
TOWN OF MEAD, WELD COUNTY, COLORADO, THAT;**

Section 1. Chapter 11, Article 1 of the Mead Municipal Code is hereby amended by the deletion of Section 11-1-130 in its entirety and the enactment of Sections 11-1-130 through 11-1-160 to read as follows:

“Sec. 11-1-130. Truck-tractors and semi-trailers restricted from local streets.

- (a) It is unlawful to drive any truck-tractors and semi-trailers on any public street within the town, unless the roadway is specifically designated and posted as a truck route.
Exception: This provision shall not apply to emergency vehicles, or other vehicles operated by a local, state or federal governmental agency.
- (b) It shall be an affirmative defense to paragraph (a) that the driver was in the immediate process of delivering or picking up materials or merchandise, was providing services, or was reaching the final business destination. Excluded truck-tractors and semi-trailers may leave the truck route only at the point nearest the destination and must return to the truck route by the shortest route.

Sec. 11-1-140. Truck-tractors and semi-trailers on streets.

- (a) As used in this Article:

“Residential street” means those public streets whose primary function is to provide access to immediately adjacent land used for single-family or multi-family residential purposes.

“Truck route” means all State and U.S. Highways and local public streets specifically designated and posted as a truck route.

“Truck-tractor” means any vehicle which is generally and commonly designed to draw a semi-trailer and its cargo over the public highways.

“Semi-trailer” means any wheeled vehicle, without motive power, designed to be used in conjunction with a truck-tractor so that some part of its own weight and that of its cargo load rest upon, or is carried by such truck-tractor and which is commonly used to carry and transport property over the public highways.

- (b) It is unlawful to:
- (1) Leave or park any semi-trailer and truck-tractor, or either of them, in or at the side of any residential street, except during the expeditious loading or unloading of property;
 - (2) Leave any truck-tractor and semi-trailer on any nonresidential public street or at the side of any street, or on any public property or thoroughfare for over seventy-two consecutive hours, except that pickup trucks rated at one and one half Ton (1 ½ Ton) or less shall be subject to the parking regulations applicable to passenger motor vehicles.

Sec. 11-1-150. Violations.

- (a) Violations of the provisions of this Article shall be noncriminal offenses and punishable in accordance with Sections 1-4-20 of this Code.
- (b) In addition to any of the foregoing remedies, the Town Attorney, acting on behalf of the Board of Trustees, may institute injunction, abatement or any other appropriate action to prevent, enjoin, abate or remove such violations. The remedy provided for herein shall be cumulative and not exclusive and shall be in addition to any other remedies.”

Section 2. Effective Date. This ordinance shall be published and become effective as provided by law.

Section 3. Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the Ordinance. The Board of Trustees hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more parts, sections, subsections, sentence, clauses or phrases are declared invalid.

Section 4. Violations and Penalties.

- a. It shall be a violation of this ordinance for any person to do any act which is forbidden or declared to be unlawful, or to fail to do or perform any act required in this ordinance.
- b. Any person, firm or corporation convicted of violating the terms or conditions of the ordinance adopted hereby is guilty of a civil violation and upon conviction thereof, shall

be punished by a fine of not more than five hundred dollars (\$500.00). Each day during which such violation continues shall be deemed a separate offense.

- c. In addition to any of the foregoing remedies, the Town Attorney, acting in behalf of the Town Board, may institute injunction, abatement, or any other appropriate action to prevent, enjoin, abate or remove such violations. The Remedy provided for herein shall be cumulative and not exclusive and shall be in addition to any other remedies.

Section 5. Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

Section 6. Certification. The Town Clerk shall certify to the passage of this ordinance and make not less than one copy of the adopted Code available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED THIS 9th DAY OF June, 2014.

ATTEST:

TOWN OF MEAD

By Linda Blackston
Linda Blackston, CMC, Town Clerk

By Gary R. Shields
Gary R. Shields, Mayor

