

**TOWN OF SNOWMASS VILLAGE
TOWN COUNCIL**

**ORDINANCE NO. 13
SERIES OF 2020**

**AN ORDINANCE ADOPTING A LOCAL AMENDMENT TO THE 2020 REVISION TO
THE COLORADO MODEL TRAFFIC CODE FOR THE REGULATION OF TRAFFIC IN
THE TOWN OF SNOWMASS VILLAGE BY AMENDING THE PROVISIONS OF
CHAPTER 8 – VEHICLES AND TRAFFIC OF THE MUNICIPAL CODE OF THE
TOWN OF SNOWMASS VILLAGE**

WHEREAS, the Town of Snowmass Village previously adopted the 2020 revision of the Colorado Model Traffic Code, together with the local amendments, to regulate traffic in the Town; and

WHEREAS, Town Council has learned of a duplication in the use of section numbers pertaining to Section 1212 of the 2020 Model Traffic Code and a local amendment thereto that was also numbered Section 1212 as a previous local addition to the Snowmass Village Municipal Code; and

WHEREAS, Town Council desires to correct the numbering duplication to prevent any potential confusion that may arise by use of the same section number for the different violations; and

WHEREAS, the Town Council of the Town of Snowmass Village finds that updating the Colorado Model Traffic Code by enacting a correcting local amendment by the adoption of this Ordinance is necessary for the preservation of the public health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Snowmass Village as follows:

1. Action.
 - a) That Section 8-2 - Deletions, amendments and additions to the MTC in Article I, Chapter 8 of the Snowmass Village Municipal Code is hereby amended by the addition of the section numbered 1212.5 to read as follows:

1212.5 Engine idling.

(a) Except as hereinafter provided, it shall be unlawful for any person to idle or permit the idling of the motor of any stationary motor vehicle.

(b) During the period between October 31 and May 1 of each year, vehicles shall be permitted to idle in a stationary position for a period of up to five (5) minutes for purposes of engine and passenger compartment warming.

(c) This section shall not apply when an engine must be operated in the idle mode for safety reasons, including but not limited to the operation of cranes and forklifts used in the construction industry, for maintaining product integrity, including but not limited to the operation of cement trucks with rotating drums and food trucks with refrigeration or for emergency response vehicles.

(d) Engine idling by diesel-powered motor vehicles with a gross weight rating of ten thousand (10,000) pounds or more, for the period of time required to achieve an engine temperature of one hundred twenty (120) degrees Fahrenheit and an air pressure of one hundred (100) pounds per square inch, shall be permitted at all times. The temperature and air pressure as indicated on the vehicle's gauges may be used for determining the diesel engine's temperature and air pressure.

(e) Engine idling of transportation vehicles during active loading or discharging of passengers shall be permitted at all times. A transportation vehicle shall be defined for purposes of this section to mean motor vehicles designed to transport a minimum of sixteen (16) persons.

- b) That Section 8-2 - Deletions, amendments and additions to the MTC in Article I, Chapter 8 of the Snowmass Village Municipal Code is hereby amended by the addition of the section numbered 1212 to read as follows:

1212. Pay Parking access for disabled.

(1) A person who owns, operates, or manages a parking space that requires remuneration shall not tow, boot, or otherwise take adverse action against an individual or motor vehicle parking in the space for failure to pay the remuneration if the motor vehicle bears a remuneration-exempt identifying placard issued pursuant to section 42-3-204, C.R.S.

(2) Notwithstanding any statute, resolution, or ordinance of the State of Colorado, political subdivision of Colorado, or a governing board of a state institution of higher education,

parking in a space without paying the required remuneration is not a violation of the statute, resolution, or ordinance if the conditions specified in subsection (1) of this section are met.

(3) A law or parking enforcement agency shall withdraw any penalty assessment notice or summons and complaint that is deemed not to be a violation under subsection (2) of this section within five business days after being shown proof that the individual cited has a valid remuneration-exempt identifying placard.

2. Severability. If any provision of this Ordinance or application hereof to any person or circumstance is held invalid, the invalidity shall not affect any other provision or application of this Ordinance which can be given effect without the invalid provision or application, and, to this end, the provisions of this Ordinance are severable.

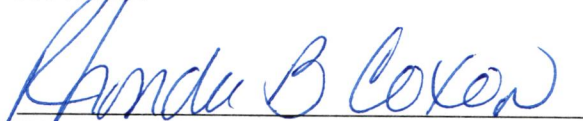
READ, APPROVED AND ADOPTED as amended on first reading on November 16, 2020 upon the motion of Council member Goode, the second of Council member Sirkus and upon a vote of 5 in favor and 0 opposed.

READ, APPROVED AND ADOPTED, as amended, on second reading on December 7, 2020 upon the motion of Council Member Sirkus, the second of Council Member Fridstein, and upon a vote of 5 in favor and 0 opposed.

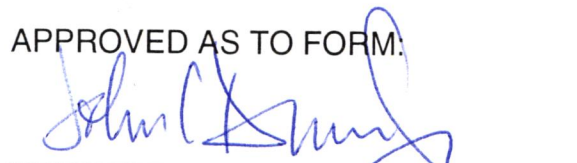
TOWN OF SNOWMASS VILLAGE


By: Bill Madsen, Mayor

ATTEST:


Rhonda B. Coxon, Town Clerk

APPROVED AS TO FORM:


John C. Dresser, Jr., Town Attorney