

ORDINANCE NO. 2  
(Series 1996)

AN ORDINANCE OF THE TOWN OF LAKE CITY, COLORADO, FOR THE REGULATION OF TRAFFIC, ADOPTING BY REFERENCE THE 1995 EDITION OF THE "MODEL TRAFFIC CODE FOR COLORADO MUNICIPALITIES", REPEALING ORDINANCES IN CONFLICT THEREWITH, AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

WHEREAS, the Model Traffic Code for Colorado Municipalities has been revised and published by the Colorado Department of Transportation in order to ensure consistency and uniformity with the rules of the road and vehicle requirements established by the law of the State laws currently in effect in the State of Colorado; and

WHEREAS, the Board of Trustees has determined that its adoption of the Model Traffic Code for Colorado Municipalities, 1995 revised edition, would be in the best interests of the inhabitants of the Town of Lake City, Colorado.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Lake City, Colorado, as follows:

Section 1: Adoption. Pursuant to Parts 1 and 2 of Article 16, Title 31, C.R.S., as amended, there is hereby adopted by reference Articles I and II, inclusive, of the 1995 Edition of the "Model Traffic Code for Colorado Municipalities," promulgated and published as such by the Colorado Department of Transportation, Staff Traffic and Safety Projects Branch, 4201 East Arkansas Avenue, Denver, Colorado 80222. The subject matter of the Model Traffic Code relates primarily to comprehensive traffic control regulations for the Town of Lake City. 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 copies of the Model Traffic Code adopted herein are now filed in the office of the Clerk of the Town of Lake City, Colorado, and may be inspected during regular business hours.

Section 2: Additions or Modifications. The said Code is hereby adopted with and subject to the following additions or modifications:

(a) Parking in Alleys Restricted. No person shall park any motor vehicle within any alleyway except during the necessary and expeditious loading and unloading of merchandise or freight. In any event, no person shall stop, stand or park a vehicle within an alley in such a position as to block the driveway entrance to any abutting public or private property.

(b) Maximum Town Speed Limit. Notwithstanding any other provisions of said Code to the contrary, a maximum speed limit of 25 miles per hour shall pertain to all public roads and streets within the limits of the Town of Lake City, Colorado; and a maximum speed limit of 15 miles per hour shall apply to all public alleyways within the Town.

Section 3: Violation and Penalties. It is unlawful for any person to violate any provisions adopted by this ordinance. Every person convicted of a violation of any provision adopted by this ordinance shall be punished by a fine not exceeding \$1,000 or by imprisonment not exceeding one year, or by both such fine and imprisonment. Pursuant to Rule 210 (5), Colorado Municipal Court Rules of Procedure, the municipal court is hereby authorized to establish, by order, a schedule of fines and penalties, not in excess of the fines and penalties specified herein.

Section 4: 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 without the corporate limits of the Town of Lake City, Colorado, the use of which the Town of Lake City 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 to private areas throughout this municipality, including driveways, parking lots, and other private premises.

Section 5: Validity and Severability. If any part or parts of this ordinance be for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Trustees hereby declares that it would have passed this ordinance adopting the Model Traffic Code in each part or parts thereof, irrespective of the fact that any one part or parts might be declared invalid.

Section 6: Repeal. Ordinance No. 1 (Series 1978) of the Town of Lake City is 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 7: Interpretation. This ordinance shall be so interpreted and construed as to effectuate its general purpose to conform with the uniform system for the regulation of vehicles and traffic of the State of Colorado. Article and section headings of the ordinance and the 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 hereof.

Section 8: Certification. The Town Clerk shall certify to the passage of this ordinance and shall make not less than three copies of the adopted Code available for inspection by the public during regular business hours.

Section 9: Traffic Control Devices. The Board of Trustees may, from time to time, by resolution, authorize and direct the erection and maintenance of stop signs, yield signs, speed limit signs and other official traffic control devices for the regulation of specific streets, alleys, highways and public ways within the Town of Lake City, all in conformance with the provisions of the Model Traffic Code including, without limitation, the provisions of 703 relating to the designations of through streets and highways and the designation of intersections or other roadway junctions at which vehicular traffic on one or more of the roadways is directed to yield or to stop and yield before entering the intersection or junction, and Section 1101 concerning speed limits.

In its discretion, the Board of Trustees may, from time to time, by resolution, appoint a traffic control engineer to assess traffic and safety conditions within the territorial limits of the Town of Lake City and to make recommendations to the Board of Trustees regarding additions to or elimination of traffic control devices. In the further discretion of the Board of Trustees, the traffic control engineer may be charged with the responsibility of maintaining the proper inventory and physical condition of such traffic control devices.

Section 10: Authentication, Recording and Publication. This ordinance shall be authenticated by the signatures of the Town Clerk and the Mayor, shall be recorded in a book kept for that purpose, and shall be published according to law.

ADOPTED by a majority vote of the Board of Trustees of the Town of Lake City, Colorado, and signed this 3rd day of April, 1996.

Philip Mason  
Philip Mason, Mayor

Attest:  
Michelle Pierce  
Michelle Pierce, Town Clerk