



**FRUITA**  
COLORADO

## AGENDA ITEM COVER SHEET

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**TO:** FRUITA CITY COUNCIL AND MAYOR

**FROM:** SHANNON VASSEN, CITY MANAGER

**DATE:** MARCH 4, 2025

**AGENDA TEXT:** Ordinance 2025-02 – Second Reading – A Request to Approve an Ordinance Amending Chapter 10.04 of the Fruita Municipal Code Regarding the Model Traffic Code (Continued from February 4, 2025)

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### BACKGROUND

The purpose of this Ordinance is to update the Municipal Code to adopt by reference the Model Traffic Code for Colorado, which embodies the rules of the road and vehicle requirements as set out in the State of Colorado's traffic laws. This document is an outline of suggestions from the state to create uniformity across municipalities. This Municipal Code amendment addresses all sections of Chapter 10.04 (010-040), as outlined here:

- **Model Traffic Code Adopted** – This amendment updates the Municipal Traffic Code to reflect the changes made by the Colorado Department of Transportation (CDOT) 2024 Model Traffic Code for Colorado.
- **Deletions** - This amendment also updates the code to reflect the change to the year of the Model Traffic Code and additional deletions.
- **Additions or Modifications** – This Municipal Code amendment also reflects any changes made to the CDOT version based on what the City of Fruita deems essential for our own traffic regulations, pursuant to state law.
- **Penalties** – This amendment proposes modifications to the penalties associated with traffic violations, aligning them with contemporary practices observed statewide and established precedents in municipal courts.

These changes bring the municipal code up to date to reflect current traffic recommendations from CDOT and from the Municipal Court.

This Municipal Code amendment was presented to the City Council at the at the August 2024 workshop and the January 21, 2025, regular meeting. At the August workshop, Council directed staff to move forward with the Model Traffic Code update to align with contemporary statewide standards. When the ordinance went to a public hearing for the second reading on February 4, 2025, there were a few concerns from the Council that staff has updated in this final reading. Here is an overview of a few of the concerns:

**1. Section 801 of the adopted code is amended to add a new subsection (5) as follows:**

1. (a) It is unlawful for a pedestrian to engage in any activity within a public street or roadway that obstructs the free flow of vehicular traffic or constitutes a hazard, except as expressly permitted or authorized by this Code.
2. (b) It is unlawful for a parent, guardian, or other person having care or custody of any child under the age of ten (10) years to intentionally, knowingly, or recklessly allow or permit any such child to violate subsection (a) of this section.
3. (c) The fact that a child under the age of ten (10) years is engaged in an activity within a public street or roadway contrary to the provisions of subsection (a) of this section shall be prima facie evidence that the parent, guardian, or other person having custody of the child is guilty of violating this section.

**2. Section 1205 of the adopted code is hereby amended by the addition of a new subsection 1205(5), to read as follows:**

1. (5) No person shall park a vehicle upon a roadway for the purpose of greasing, painting, or repairing such vehicle, except repairs necessitated by an emergency.

**Proposed Municipal Code Amendments: Explanation of Concerns**

**Pedestrian Regulations (Model Traffic Code Part 8, Section 801)**

Part 8 of the Model Traffic Code addresses pedestrian behavior. Section 801 specifically requires pedestrians to obey traffic control devices and regulations unless directed otherwise by a police officer. The proposed addition clarifies and expands this section to make it explicitly unlawful for pedestrians to engage in hazardous actions, as determined at the discretion of law enforcement. The key being actions that could be determined to be a hazard.

This change aims to enhance public safety by discouraging potentially dangerous pedestrian behaviors, or using children for potentially dangerous behaviors. The inclusion of additional subsections ensures providing framework for accountability and safety enforcement.

**Stormwater Pollution and Section 1205**

The final area of concern was that the proposed code could have prohibited residents from washing vehicles on the road. The language has been removed based upon feedback from the City Council.

Overall, the adoption of the Model Traffic Code can proceed with or without these changes. However, the proposed amendments provide additional tools for the Fruita Police Department to promote safety and public health effectively.

**FISCAL IMPACT**

There is no fiscal impact to approving this Municipal Code Amendment.

**APPLICABILITY TO CITY GOALS AND OBJECTIVES**

This amendment will update the Municipal Code to reflect the current traffic rule and regulations throughout Colorado so that Fruita is in concurrence with other municipalities.

## **OPTIONS AVAILABLE TO COUNCIL**

- Approve Ordinance 2025-02: An Ordinance Amending Chapter 10.04 Of the Fruita Municipal Code Regarding The 2024 Model Traffic Code, as presented.
- Amend Ordinance 2025-02 to include or exclude certain additions of the Model Traffic Code, as determined by the Council.
- Deny the Ordinance and bring back at a future date for first reading.

## **RECOMMENDATION**

It is the recommendation of staff that the City Council by motion:

**MOVE TO APPROVE ORDINANCE 2025-02: AN ORDINANCE AMENDING  
CHAPTER 10.04 OF THE FRUITA MUNICIPAL CODE REGARDING THE 2024  
MODEL TRAFFIC CODE AS PRESENTED.**