

CITY OF GREELEY, COLORADO

ORDINANCE NO. _____, 2019

AN ORDINANCE OF THE GREELEY MUNICIPAL CODE ENACTING CHAPTER 1.34; AMENDING CHAPTER 2.09; ENACTING SECTION 10.28.051; AND AMENDING TITLE 11 ALL RELATED TO PARKING WITHIN THE CITY OF GREELEY

WHEREAS, the City of Greeley (“City”) is a Colorado home rule municipality, with all powers and authority vested under Colorado law; and

WHEREAS, the City has taken steps to streamline and improve the process for violations occurring from traffic infractions as it relates to parking; and

WHEREAS, the recommended amendments and additions to the Greeley Municipal Code would clarify and improve this process significantly; and

WHEREAS, after review of these recommended changes, Council believes that it is in the best interests of the citizens of the City of Greeley that this ordinance be adopted.

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL FOR THE CITY OF GREELEY, COLORADO, AS FOLLOWS:

Section 1. Chapter 1.34 of the Greeley Municipal Code shall be enacted as set forth on Exhibit A attached hereto and incorporated herein by this reference.

Section 2. Chapter 2.09 of the Greeley Municipal Code shall be amended as shown on Exhibit B attached hereto and incorporated herein by this reference.

Section 3. Section 10.28.051 of the Greeley Municipal Code shall be enacted as set forth on Exhibit C attached hereto and incorporated herein by this reference.

Section 4. Sections 11.01.103, and 11.01.110 shall be amended as shown on Exhibit D attached hereto and incorporated herein by this reference.

Section 5. Part 12 of Title 11, Chapter 1 shall be amended as shown on Exhibit E attached hereto and incorporated herein by this reference.

Section 6. Part 18 of Title 11 shall be amended by the addition of a new Section 11.01.1809, and renumbering and amendment of Section 11.01.1810 as shown on Exhibit F attached hereto and incorporated herein by this reference.

Section 7. Title 11, Chapter 2 shall be enacted as shown on Exhibit G attached hereto and incorporated herein by this reference.

Section 8. This Ordinance shall become effective five days following its final publication, as provided by the Greeley City Charter.

PASSED AND ADOPTED, SIGNED AND APPROVED THIS 19th DAY OF MARCH, 2019.

ATTEST:

CITY OF GREELEY, COLORADO

City Clerk

Mayor

1.34- Parking Infraction Sanctions

1.34.010 - Enforcement and Sanctions.

(1) The City Manager shall by Administrative Rule designate those employees who are authorized to issue Citations for parking infractions pursuant to this Code. These employees shall be designated as Parking Enforcement Officers. All employees of the Greeley Police Department are designated Parking Enforcement Officers.

(2) Any person who violates any ordinance designated as a parking infraction shall be penalized by a fine of not more than five hundred dollars (\$500.00) per violation and shall be required to pay all assessed costs and fees.

(3) The City Manager shall by Administrative Rule designate those employees who shall specify by suitable schedules, the fees, costs and fees for violations of Title 11, Chapter 2, including any costs and fees for failing to respond in a timely manner. The designee may adopt schedules or procedures which authorize a reduction in fines for violations of Title 11, Chapter 2.

1.34.020 - Definitions

Motor vehicle or vehicle means any self-propelled vehicle that is designed primarily for travel on the public highways and that is generally and commonly used to transport persons and property over the public highways or a low-speed electric vehicle; except that the term does not include electrical assisted bicycles, low-power scooters, wheelchairs, or vehicles moved solely by human power. For purposes of this Chapter, the terms *motor vehicle* and *vehicle* shall include a trailer.

Trailer means any wheeled vehicle, without motive power, which is designed to be drawn by a motor vehicle and to carry its cargo load wholly upon its own structure and which is generally and commonly used to carry and transport property over the public roadways.

1.34.030 - Notice and Procedure for Parking Violations

(1) If any motor vehicle is found parked, standing, or stopped in violation of the parking ordinances or rules promulgated by the city, the vehicle may be affixed with a penalty assessment citation ("Citation").

(a) The citing Parking Enforcement Officer shall note the vehicle license plate number and any other information concerning the motor vehicle that will identify it and, if the driver is not present, shall conspicuously affix the Citation to the motor vehicle.

(b) The Citation shall include information about the particular parking, standing or stopping violation that has occurred at that time and place, set forth the amount of the penalty assessment, state the procedure for payment of the penalty assessment, the method by which the alleged violation may be protested, and notice of procedures to collect delinquent assessments.

(2) Any person charged with a parking infraction for which a Citation may be issued and for which payment of a fine may be made to the Parking Services Office shall have the option of paying such fine within the date, time and at a place specified in the Citation.

(a) Payment of a Citation by the person to whom the Citation is served shall constitute an acknowledgment by such person of his or her violation of the Code as stated in such Citation.

(b) Payment of the prescribed fine shall be deemed a complete satisfaction for the violation, and the City, upon accepting the prescribed fine, shall upon request issue a receipt acknowledging payment thereof. Checks tendered and accepted, and on which payment is received, shall be deemed sufficient receipt.

(c) Parking Citations may be paid or appealed electronically, via mail or in person at the location identified on the Citation.

(3) If the driver or owner of a motor vehicle charged with a violation of any parking, standing or stopping provision of this Code fails to respond to a Citation affixed to the vehicle, the City shall send, at the cost of the owner, another notice 30 days from the infraction date by mail to the registered owner of the vehicle to which the original notice was affixed, warning him or her that payment of the Citation is past due and, in addition, in the event such notice is disregarded for a period of thirty (30) days from the date of mailing, the vehicle is subject to immobilization and the procedures described in this Chapter.

(4) The Parking Services Office shall adopt procedures for the collection of delinquent parking violations, which may include the engaging of collection services. The owner shall additionally pay any associated collection costs, fees and/or commissions for these collection services.

(5) Any person cited for a violation of a parking infraction who believes that such Citation has been issued in error shall have the right to contest the validity of the Citation.

(a) The first appeal of a Citation must occur within 15 days of the Citation to the Parking Services Office. Where the Parking Services Office finds that the violation has not been established, the Citation shall be dismissed. Where the Parking Services Office finds that the violation has been established, the Parking Services Office shall uphold the Citation and order the registered owner of the vehicle to pay the applicable fines, penalty and costs within seven days of the date of the decision of the Parking Services Office.

(b) The decision of the Parking Services Office may be appealed to the Parking Referee within seven days of Parking Services decision to uphold the Citation. Where it has been established that a violation was committed by a preponderance of the evidence, the Parking Referee shall uphold the Citation and order the registered owner of the vehicle to pay the applicable fines, penalties and costs as ordered by Parking Referee within forty-five (45) days. Such costs may include administrative costs as determined by the City Manager. A copy of such order shall be issued to the registered owner of the vehicle.

1.34.040 - Responsibilities of person who receives Citation; liability of vehicle owner.

- (a) Person receiving Citation. Any person who receives a Citation shall respond to such Citation within the date, time and at a place specified in the Citation by either paying the fine set forth in the Citation or exercising the dispute options set forth in the Citation.
- (b) Vehicle owner. If the owner of a vehicle subject to a Citation has not responded to the Citation within the date, time and at a place specified in the Citation, the owner shall be subject to the fines and fees established in accordance with this Code.
- (c) Owner liable. The registered owner of a vehicle at the time the violation occurred shall be liable for all unpaid fines and fees.

1.34.050 - Immobilization Authority

- (1) Pursuant to Section 11.01.1801 of this Code, the City has the authority to arrange for the removal, towing and storage of motor vehicles illegally parked or abandoned.
- (2) When a driver, owner or person in charge of a vehicle has failed to respond to a Citation issued pursuant to this Code, and has also failed to respond to an additional notice sent to the registered owner, Parking Enforcement Officers are authorized to immobilize such vehicle for a period of seventy-two (72) hours by installing on, or attaching to such vehicle, a device designed to restrict the normal movement of such vehicle.
- (3) Following immobilization of the vehicle, the Parking Enforcement Officer shall conspicuously affix to such vehicle a notice, in writing, on a form provided by the Parking Services Office, advising the owner, driver or person in charge of such vehicle, that such vehicle has been immobilized by the city for violation of one or more of the provisions of this Code, and that release from such immobilization may be obtained in a designated manner; that unless arrangements are made for the release of such vehicle within seventy-two (72) hours the vehicle will be impounded at the direction of the Parking Enforcement Officer, and that removing or attempting to remove the device before a release is obtained is unlawful.
- (4) If the vehicle has remained immobilized for a period of seventy-two (72) hours and release has not been obtained, the Parking Enforcement Officer shall have the vehicle impounded pursuant to the provisions outlined in this Code.
- (5) Parking restrictions that are otherwise applicable shall not apply while a vehicle is immobilized.

Chapter 2.09 Administrative Hearing Officer and Parking Referee

2.09.010 – Administrative Hearing Officers and Parking Referees.

(a) The City Manager is authorized and empowered to appoint one (1) or more Administrative Hearing Officers to hear certain municipal ordinance violations designated as code infractions and to act as an Administrative Hearing Officer in any other situation as provided for in this Code and as directed by the City Manager. The Administrative Hearing Officer shall be an attorney licensed to practice law in the State of Colorado.

(b) The City Manager is authorized and empowered to appoint one (1) or more Parking Referees to hear certain municipal ordinance violations designated as parking infractions. The Parking Referee shall be an attorney licensed to practice law in the State of Colorado.

(c) Administrative support shall be provided to the Administrative Hearing Officer and the Parking Referee by the appropriate City personnel as determined by the City Manager.

10.28.051- Interference with a parking immobilization device

It shall be unlawful for any person to remove or attempt to remove any immobilization device before a release is obtained as provided in 1.34.050 or to move any such vehicle before the immobilization device is released by the City after payment of the appropriate fines and costs. Violation of this Section shall punishable as a misdemeanor offense.

Title 11- Vehicles and Traffic
Part 1- Traffic Regulation- Generally

11.01.103 - Applicability.

This Chapter applies to every street, alley, sidewalk area, driveway, park and every other public way, public place or public parking area, either within or outside the corporate limits of the City, the use of which the City has jurisdiction and authority to regulate. The provisions of Sections ~~11.01.1208~~, 11.01.1401, 11.01.1402, 11.01.1409, 11.01.1413, ~~and 11.01.1609~~ and 11.02.170 of this ~~Chapter Title~~, respectively concerning ~~handicapped parking violation,~~ reckless driving, careless driving, no insurance, eluding an officer and accident investigation, and Parking privileges for persons with disabilities apply not only to public places and ways but also throughout the City.

11.01.110 - Provisions uniform throughout City.

- (1) The provisions of this Chapter shall be applicable and uniform throughout the City.
- (2) The City shall regulate and enforce all traffic and parking restrictions on streets which are state highways as provided in Titles 42 and 43, C.R.S., as amended from time to time.
- (3) The City may enact, adopt or enforce traffic regulations which cover the same subject matter as the various sections of this Chapter or state law and such additional regulations as are included in Title 42, C.R.S., as amended from time to time.
- (4) The Municipal Court shall have jurisdiction over violations of traffic regulations enacted or adopted by City Council, except that the Parking Referee shall have jurisdiction over those violations set forth in Chapter 2 of this Title.

Part 12 – Traffic Infractions related to Parking

11.01.1200 - Violation.

Unless otherwise designated, violations of this Chapter shall be designated ~~parking~~ traffic infractions and shall be punishable as set forth in Chapter 1.32.

11.01.1201 - Starting parked vehicle.

~~(a) No person shall start a vehicle which vehicle that is stopped, standing or parked unless and until such movement can be made with reasonable safety. (b) A violation of this Section is a traffic infraction and shall be punishable under Chapter 1.32 of this Code.~~

~~11.01.1202 – Parking or abandonment of vehicles.~~

~~No person shall stop, park or leave standing any vehicle, either attended or unattended, outside of a business or a residential district upon the paved or improved and main traveled part of the highway. Nothing contained in this Section shall apply to the driver of any vehicle which is disabled while on the paved or improved and main traveled portion of a highway in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position, subject, when applicable, to the emergency lighting requirements set forth in Section 11.01.230. (b) A violation of this Section is a traffic infraction and shall be punishable under Chapter 1.32 of this Code.~~

11.01.1203 - Reserved.

~~11.01.1204 – Stopping, standing or parking prohibited in specified places.~~

~~(1) Except as otherwise provided in Subsection (4) of this Section, no person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or an official traffic control device, in any of the following places:~~

- ~~(a) On a sidewalk;~~
- ~~(b) Within an intersection;~~
- ~~(c) On a crosswalk;~~
- ~~(d) Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless the traffic authority indicates a different length by signs or markings;~~
- ~~(e) Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;~~
- ~~(f) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;~~

- ~~(g) Upon any bridge or other elevated structure upon a highway or within a highway tunnel;~~
- ~~(h) On any railroad tracks;~~
- ~~(i) On any controlled access highway;~~
- ~~(j) In the area between roadways of a divided highway, including crossovers;~~
- ~~(k) At any other place where official signs prohibit stopping;~~
- ~~(l) Along any officially designated and posted snow removal route during a snow emergency;~~
- ~~(m) In any alleyway, except as necessary during the expeditious loading and unloading of merchandise and;~~
- ~~(n) On any parkway.~~

~~(2) Except as otherwise provided in Subsection (4) of this Section, in addition to the restrictions specified in Subsection (1) of this Section, no person shall stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or an official traffic control device, in any of the following places:~~

- ~~(a) Within five (5) feet of a public or private driveway;~~
- ~~(b) Within fifteen (15) feet of a fire hydrant;~~
- ~~(c) Within twenty (20) feet of a crosswalk at an intersection;~~
- ~~(d) Within thirty (30) feet upon the approach to any flashing beacon or signal, stop sign, yield sign or traffic control signal located at the side of a roadway;~~
- ~~(e) Within twenty (20) feet of the driveway entrance to any fire station or, on the side of a street opposite the entrance to any fire station, within seventy five (75) feet of said entrance when properly signposted;~~
- ~~(f) At any other place where official signs prohibit standing.~~
- ~~(g) Within a marked fire lane.~~

~~(3) In addition to the restrictions specified in Subsections (1) and (2) of this Section, no person shall park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic control device, when and where any of the following conditions exist:~~

- ~~(a) Within fifty (50) feet of the nearest rail of a railroad crossing;~~
- ~~(b) At any place where official signs prohibit parking.~~

~~(4)~~

~~(a) Paragraph (a) of Subsection (1) of this Section shall not prohibit persons from parking bicycles on sidewalks in accordance with the provisions of Paragraphs 11.01.1412(11)(a) and (11)(b).~~

~~(b) Paragraph (f) of Subsection (1) of this Section shall not prohibit persons from parking two (2) or more bicycles abreast in accordance with the provisions of Paragraph 11.01.1412(11)(d).~~

~~(c) Paragraphs (a), (c) and (d) of Subsection (2) of this Section shall not apply to bicycles parked on sidewalks in accordance with Paragraphs 11.01.1412(11)(a) and (11)(b).~~

~~(5) No person shall move a vehicle not lawfully under his or her control into any such prohibited area or away from a curb such distance as is unlawful.~~

11.01.1205 – Parking at curb or edge of roadway.

~~(1) Except as otherwise provided in this Section, every vehicle stopped or parked upon a two-way roadway shall be so stopped or parked with the right hand wheels parallel to and within twelve (12) inches of the right hand curb or as close as practicable to the right edge of the right hand shoulder.~~

~~(2) Except as otherwise provided by local ordinance, every vehicle stopped or parked upon a one-way roadway shall be so stopped or parked parallel to the curb or edge of the roadway in the direction of authorized traffic movement, with its right hand wheels within twelve (12) inches of the right hand curb or as close as practicable to the right edge of the right hand shoulder or with its left hand wheels within twelve (12) inches of the left hand curb or as close as practicable to the left edge of the left hand shoulder.~~

~~(3) Local authorities may by ordinance permit angle parking on any roadway; except that angle parking shall not be permitted on any state highway unless the Department of Transportation has determined by resolution or order entered in its minutes that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.~~

11.01.1206 - Unattended motor vehicle.

(1) No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, removing the key from the ignition and effectively setting the brake thereon, and, when standing upon any grade, said person shall turn the front wheels to the curb or side of the highway in such a manner as to prevent the vehicle from rolling onto the traveled way.

(2) The use or operation of a remote starter system and adequate security measures is sufficient to comply with Subsection (1) of this Section.

(3) As used in this Section:

(a) Adequate security measures includes, but is not limited to: (I) Using a vehicle that requires a key to put the vehicle into gear and move the vehicle; (II) Keeping a keyless start fob out of proximity of the vehicle; or (III) Employing steering wheel security devices.

(b) Remote starter system means a device installed in a motor vehicle that allows the engine of the vehicle to be started by remote or radio control.

(4) No person shall allow an unattended motor vehicle to remain idling for more than twenty (20) minutes from the time the motor was started, by remote starter or other means.

~~(a) As used in this Subsection (4), the term unattended shall mean that the vehicle has not moved from its original position and has not been occupied by a person possessing a valid driver's license.~~

11.01.1207 - Opening and closing vehicle doors.

No person shall open the door of a motor vehicle on the side available to moving traffic unless and until it is reasonably safe to do so and can be done without interfering with the movement of other traffic; nor shall any person leave a door open on the side of a vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers.

~~11.01.1208 - Parking privileges for persons with disabilities.~~

~~(1) As used in this Section, a *handicapped person* means a person so severely handicapped that he or she is unable to move from place to place without the aid of a mechanical device or who has a physical impairment verified, in writing, by the Director of the Division of Rehabilitation or a physician licensed to practice medicine in this State that such impairment limits substantially his or her ability to move from place to place.~~

~~(2) Any vehicle operator using handicapped parking facilities shall ensure that the vehicle is identified by a handicapped license plate, handicapped placard, temporary distinguishing handicapped license permit or temporary identifying handicapped placard issued by the Motor Vehicle Division of the Colorado Department of Revenue or the temporary handicapped insignia issued by the City.~~

~~(3) In order to obtain a handicapped plate, placard, temporary license permit or temporary placard, the handicapped person must comply with the requirements of the Colorado statutes and the regulations of the Colorado Department of Revenue pertaining to handicapped parking.~~

~~(4) As an alternative to a state designation, a handicapped person may obtain a temporary handicapped insignia from the City. The person must present evidence that he or she is temporarily unable to move from place to place without the aid of a mechanical device or is a person who has a physical impairment that substantially limits his or her ability to move from place to place. Evidence of such impairment shall include verification by a physician licensed to practice medicine in this State that the person seeking the insignia is a temporarily handicapped person.~~

~~(5) The handicapped insignia issued by the Police Department shall be valid for ninety (90) days from the date of issue. The City handicapped insignia shall be valid only within the City.~~

~~(6) It shall be the duty of the Traffic Superintendent to provide for adequate handicapped parking zones on public property as authorized by law. Handicapped parking zones on private property that are available for public use shall be posted with a sign meeting the requirements of sign R7-8 as provided for in Section 2B-31 of the United States Department~~

~~of Transportation, Federal Highway Administration Manual on Uniform Traffic Control Devices.~~

- ~~(7) A person operating a vehicle identified as a handicapped vehicle as required by this Chapter may park in a handicapped zone on public property or private property that is available for public use. The handicapped license plate, placard, temporary license permit or temporary placard issued by this State or handicapped insignia issued by the City shall be displayed on the vehicle at the designated location on the vehicle while parked in such handicapped zone.~~
- ~~(8) The City placard shall be displayed on the left inside dashboard so that the expiration date is visible from the outside.~~
- ~~(9) It is unlawful for any person, other than a handicapped person, to park in a handicapped zone either on public property or private property available for public use, unless such person is parking the vehicle for the benefit of a handicapped person, and then only if a handicapped license plate or handicapped placard is prominently displayed.~~
- ~~(10) It is unlawful for any person who is not a handicapped person or who does not transport handicapped persons to display a handicapped license plate, placard, temporary handicapped license permit or placard.~~
- ~~(11) The City may revoke any City handicapped insignia being misused after notifying the person in writing of the revocation and reasons for the revocation.~~

11.01.1209 – Owner liability for parking violations.

~~In addition to any other liability provided for in this Chapter, the owner of a motor vehicle who is engaged in the business of leasing or renting motor vehicles is liable for payment of a parking violation fine unless the owner of the leased or rented motor vehicle can furnish sufficient evidence that the vehicle was, at the time of the parking violation, in the care, custody or control of another person. To avoid liability for payment the owner of the motor vehicle is required, within a reasonable time after notification of the parking violation, to furnish to the prosecutorial division of the appropriate jurisdiction the name and address of the person or company who leased, rented or otherwise had the care, custody or control of such vehicle. As a condition to avoid liability for payment of a parking violation, any person or company who leases or rents motor vehicles to another person shall attach to the leasing or rental agreement a notice stating that, pursuant to the requirements of this Section, the operator of the vehicle is liable for payment of a parking violation fine incurred when the operator has the care, custody or control of the motor vehicle. The notice shall inform the operator that the operator name and address shall be furnished to the prosecutorial division of the appropriate jurisdiction when a parking violation fine is incurred by the operator.~~

11.01.1211 - Limitations on backing.

- ~~(1) (a) The driver of a vehicle, whether on public property or private property which is used by the general public for parking purposes, shall not back the same unless such movement can be made with safety and without interfering with other traffic. (b) The driver of a vehicle shall not back the same upon any shoulder or roadway of any controlled-access highway.~~

11.01.1212— Angle parking.

On those streets which have been approved and signed or marked for angle parking, no person shall stop, stand or park a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings, nor shall any person back a vehicle into any angle parking space on streets which have been approved and signed or marked for angle parking.

11.01.1213— Parking certain vehicles prohibited in specified areas; exceptions.

(1) ~~Parking oversized vehicles on public right of way.~~ No person shall stop, park or leave standing any vehicle with six thousand (6,000) pounds or more in weight, whether such vehicle be attended or unattended, in public rights of way in any area of the City zoned R-L, R-M, R-H, RMH or RE, for more than forty-eight (48) hours. A vehicle owner of any six thousand pound or greater weight vehicle shall not park said vehicle on the street in front of the owner's residence or within one hundred (100) feet of his or her residence, if the vehicle can legally be parked on the owner's property instead. No person shall park or leave standing any vehicle exceeding six (6) feet in height in public rights of way in such a manner that any part of the vehicle which exceeds forty-two (42) inches in height shall be:

(a) Within thirty (30) feet of an intersection or a crosswalk; or (b) Within five (5) feet of a public or private driveway.

(2) ~~Parking oversized vehicles on private property.~~ No person shall park or leave standing any vehicle exceeding six (6) feet in height on private property in such a manner that any part of that vehicle which exceeds forty-two (42) inches in height shall be: (a) Within five (5) feet of the flow line of public rights of way; or (b) Within eighteen (18) inches of the edge of any attached or detached sidewalk in a public right of way.

(3) ~~Obstructing traffic control devices with oversized vehicles.~~ No person shall park or leave standing a vehicle in public rights of way in such a manner that any part of the vehicle which exceeds six (6) feet in height shall be within thirty (30) feet of any official traffic control device.

(4) ~~Detached trailers, pickup campers and boats.~~ For purposes of this Section, trailer means any wheeled vehicle without motive power and designed to be drawn by a motor vehicle. A pickup camper means a camper body capable of being loaded or unloaded from or to the bed of a pickup truck.

a) ~~No trailer shall be detached from a towing vehicle and left standing in any public right of way.~~ (b) ~~No pickup camper shall be unloaded from a pickup truck and left standing in any public right of way.~~ (c) ~~No boat, whether standing on a trailer or standing by itself, shall be left standing on any public right of way unless attached physically to a motor vehicle.~~

(5) ~~Oversized commercial vehicles.~~ For purposes of this Section, oversized commercial vehicle means any vehicle registered, licensed or used for commercial purposes or displaying advertisements for commercial enterprise and exceeding twenty (20) feet in length or trailers exceeding fifteen (15) feet or eight (8) feet or more in height, or eight thousand (8,000) pounds or more in weight. Oversized commercial vehicles are prohibited from parking in any area in the City zoned R-L, R-M, R-E, R-MH or R-H, either on the street, traveled roadway or public right of way, with the following exceptions:

(a) ~~Loading or unloading moving vans or similar type vehicles used for moving personal goods, for a period not to exceed twenty-four (24) hours. Pods or similar temporary storage enclosures shall be regulated the same as oversized commercial vehicles and shall not exceed a period of forty-eight (48) hours;~~

(b) Temporary parking for purposes of pick-up or delivery, for a period not to exceed thirty (30) minutes.;

(c) Construction equipment or machinery employed in any authorized construction project, for a period not to exceed the completion of such construction or construction project and must comply with all regulatory parking requirements

(6) Prohibited uses. No person shall use any motor vehicle, bus, trailer, coach, mobile home, self-propelled motor home or recreational equipment for living, sleeping, housekeeping or preparation of food while parked on any public right of way within the City.

(7) Measurements. Measurements made in the enforcement of this Section shall be made as follows: (a) The height of vehicles shall be measured perpendicular to the parking surface to the uppermost portion of the vehicle, including loads or any projections attached thereto, with the exception of radio antennae, exhaust pipes and vents. (b) The length of vehicles shall be measured parallel to the long axis of the vehicle and shall include any projections permanently or temporarily attached thereto.

(8) Penalties for repeated violations of Section 11.01.1213(5). (a) Any person found guilty after trial or plea of a violation of Section 11.01.1213(5) of this Chapter shall be subject to a fine of not less than fifty dollars (\$50.00), plus any additional penalties authorized pursuant to Chapter 1.32 of this Code. (b) Any person found guilty after trial or plea of a violation of Section 11.01.1213(5) of this Chapter when the date of the offense is within one (1) year of the date of a prior violation of this Chapter shall be fined not less than one hundred dollars (\$100.00), plus any additional penalties authorized pursuant to Chapter 1.32 of this Code. (c) Any person found guilty after trial or plea of a violation of Section 11.01.1213(5) of this Chapter for a third or subsequent time when the date of the offense is within one (1) year of the date of a prior violation of this Chapter shall be fined not less than one hundred fifty dollars (\$150.00), plus any additional penalties authorized pursuant to Chapter 1.32 of this Code.

11.01.1214— Authority to store vehicles; impoundment of vehicle parked in snow removal route.

(1) Authority to store vehicles. Whenever any police officer finds a vehicle, attended or unattended, standing upon any portion of a street or highway right of way within the City in such a manner as to constitute a hazard or obstruction to traffic or to roadway maintenance, or left unattended upon any portion of a street or highway right of way within the City for a period of twenty-four (24) hours or more and presumed to be abandoned under the conditions prescribed by Section 10.28.010 of this Code, such officer shall require such vehicle to be removed or cause the same to be removed and placed in storage in the nearest garage or other place of safety designated or maintained by the City.

(2) In the event of abandonment of a vehicle on property within the City other than public rights-of-way, the owner of such property may, after a period of twenty-four (24) hours following the property owner's or agent's placement of notice of removal on the vehicle, cause the abandoned vehicle to be removed and placed in storage in the nearest garage or other place of safety designated or maintained by the City.

(3) If any vehicle is left on private property with the prior consent of the owner of the private property or other person in possession thereof, and following the property owner's or possessor's or agent's compliance with the notice requirements of Section 11.01.1219 of this Chapter, and if the vehicle owner fails to remove the vehicle following such notice, the owner or possessor of

the private property or owner's or possessor's agent may cause the removal and placement of the vehicle as described in Subsection (2) hereinabove.

(4) During a snow emergency the Director of Public Works, or the Director's designees, may direct that any vehicle illegally parked upon a properly signed and posted snow removal route may be towed to either the nearest legal parking area or be impounded in the same manner as prescribed for an abandoned vehicle in this Chapter.

11.01.1215—Parking by permit only; time limitations.

(1) — On any street or at any place within the City when appropriate signs are posted giving notice of parking by permit only as authorized, no person shall stop, stand or park a vehicle in any manner unless such vehicle shall visibly display a valid permit for such parking.

(2) — Permits for parking in permit parking areas shall be issued by the Director of Finance. The Director shall adopt procedures for the issuance of such permits, the duration of the permits and required fees. The Director shall also determine the location on the vehicle where permits shall be displayed.

(3) — On any street or at any place within the City when appropriate signs are posted giving notice of parking time limitations, no person shall stop, stand or park a vehicle in any manner in excess of the posted time limitation.

(4) — In accordance with the provisions of this Chapter, parking shall be restricted in the following areas:

(a) — The Cranford Neighborhood area to be approximately bordered by 20th Street on the south, 14th Avenue on the west, Cranford Street on the north and 11th Avenue on the east.

(b) — Northern Colorado Medical Center area to be bordered by 15th Street on the south, 22nd Avenue on the west, 14th Street on the north and 16th Avenue Court on the east.

(c) — The 1000 block of 23rd Street Road bordered by 11th Avenue on the west, 10th Avenue on the east, 24th Street on the south and 23rd Street on the north.

(d) — The area of Reservoir Road bordered by 1619 and 1615 on the west, 1611 and 1607 on the north and 1605 on the east.

(e) — The area of 15th Avenue from 20th Street to Glenmere Road.

(f) — The area of Glenmere Road from 14th Avenue to Elbow Lane.

(g) — These zones and boundaries are approximate and in no way shall limit the ability of the City to impose parking restrictions in accordance with this Chapter in any nearby area or other location throughout the City.

11.01.1216—Parking of compact cars only; tow away zone on certain streets.

(1) — On any street or at any place within the City when appropriate signs are posted giving notice of parking of compact cars only as authorized, no person shall stop, stand or park a vehicle in any manner unless such vehicle is a compact car, and such vehicle is wholly contained, including bumpers and any type of attached projection, within the pavement markings.

(2) — For purposes of this Section only, compact car is defined as any vehicle no longer than sixteen (16) feet, such measurement to be made parallel to the long axis of the vehicle and including any projections permanently or temporarily attached thereto.

(3) — The Traffic Superintendent, or his or her designee, shall cause visible markings to be placed on the pavement, such markings to establish side and end markings for compact only parking spaces.

~~(4) — Compact car only parking areas shall be established by the Traffic Superintendent or his or her designee after consultation with the Chief of the Fire Department. Such parking shall be established to maintain necessary fire emergency lanes. The Traffic Superintendent or his or her designee shall cause such lanes to be clearly marked as fire lanes; tow away zones.~~

~~(5) — Any vehicle parked, stopped or standing in violation of Subsection (1) of this Section may be towed away.~~

~~11.01.1217 — Parking in attended lots.~~

~~(1) — On any street or in any area owned by the City which is controlled by an attendant, when appropriate signs are posted as authorized giving notice of parking time limitations and parking fees, it is unlawful for any person to stand, stop or park a vehicle in violation of the time limitations or to fail to stop at the attendant booth when the attendant is present, or to leave the area without paying the required fees.~~

~~(2) — Time limitations shall be established by the Director of Public Works or his or her designee. Parking fees shall be established by the Director of Finance. A schedule of time limitations and fees shall be available for public inspection at the Department of Finance during regular business hours. Procedures for the collection and disbursement of said fees shall be established by the Director of Finance.~~

~~(3) — In accord with Section 29-1-203, C.R.S., as amended from time to time, the City may enter agreements with other government agencies that own parking lots available for public use, authorizing attendant controlled, fee required parking to be enforced by police officers or other employees of the Police Department under the provisions of this Section. Said agreements shall require the posting of appropriate signs and provide for the payment of expenses and accounting of all fees collected.~~

~~11.01.1218 — Unlawful to leave vehicle on private property.~~

~~(1) It is unlawful for any person to park or leave any vehicle, whether occupied or not, on any private property in the City, including but not limited to private driveways and parking lots, without the prior consent of the owner or the person in possession of the private property.~~

~~(2) Whenever it comes to the attention of a private property owner or person in lawful possession of private property in the City that a violation of Subsection (1) above has occurred, such property owner or person in lawful possession of the property may thereupon cause the obstructing vehicle to be towed to an impound lot without prior notice to the vehicle owner.~~

~~(3) Nothing in this Chapter or elsewhere in this Code is intended to prohibit the towing of a vehicle from private property upon request and authorization of the private property owner or person in lawful possession of the private property.~~

~~11.01.1219 — Failure to remove vehicle after notice; violation.~~

~~If any vehicle is left on private property with the prior consent of the owner of the private property or other person in possession thereof, and if such owner or other person in possession thereafter mails or posts the written notice described in this Section, it is a violation of this Section if the vehicle owner fails to remove the vehicle immediately after forty-eight (48) hours from the giving of the notice. The notice provided for in this Section shall be directed to the vehicle owner at the address given by him or her to the property owner or other person in possession of the property, and the notice shall be sufficient if it sets forth a request for the vehicle to be immediately removed from the property. The notice has been given, for purposes of~~

this Section, when it is mailed by certified mail, postage prepaid, to such address; if the vehicle owner did not communicate his or her address to the property owner or other person in possession of the property, the notice has been given when it is posted conspicuously in or upon the vehicle.

~~11.01.1220 – Leaving vehicle unattended unlawful.~~

~~(1) It is unlawful for any person to leave any vehicle which he or she owns or controls unattended within any portion of a street or highway right of way within the City for a period of twenty four (24) hours or more.~~

~~(2) The permissible time for leaving a vehicle unattended within a street or highway right of way shall be extended with respect to a disabled motor vehicle if, within a twenty-four hour period, the owner or operator of the vehicle places a written notice conspicuously on or within the vehicle indicating his or her intention to remove the vehicle from that location and if the vehicle, in fact, is removed from that location to some location not within a street or highway right of way within twenty four (24) hours after the placing of the notice.~~

~~(3) *Disabled motor vehicle*, for the purposes of this Section, means any motor vehicle which is stopped or parked, either attended or unattended, upon a public right of way and which, due to any mechanical failure or any inoperability because of a collision, a fire or any other such damage, is temporarily inoperable under its own power.~~

~~(4) Nothing in this Section shall limit the authority of a police officer to move a damaged vehicle.~~

~~11.01.1221 – Parking violation notice, assessment and procedure.~~

~~(1) (a) Whenever any motor vehicle is found parked or stopped in violation of the provisions of Part 12 of this Chapter, the officer or other City employee assigned to the duties of parking enforcement who observes such vehicle shall record its registration number and any other information displayed on the vehicle which may identify its driver and owner and shall conspicuously affix to such vehicle or deliver to the driver, if the driver is present, a parking violation notice.~~

~~(b) The notice shall include information that a particular parking or stopping violation has occurred at that time and place, set forth the amount of assessments, state the procedure for payment of the assessment, the method by which the alleged violation may be protested, and notice of procedures to collect delinquent assessments.~~

~~(2) In any case where a parking violation notice is issued, the owner or driver shall have thirty (30) calendar days in which to pay the penalty assessment amount or appear before the Municipal Court, 919 7th Street, Greeley, any Monday at 1:30 p.m., and Tuesday through Thursday at 8:30 a.m., except court holidays, to protest the alleged violation.~~

~~(3) Parking violation assessments may be paid by depositing a correct amount in United States currency and mailing payment to the Municipal Court, by electronic remittance as provided by the Clerk of the Municipal Court or by bringing the payment personally to Municipal Court.~~

~~11.01.1222 – Delinquent parking violations.~~

~~(1) (a) In any case where a parking violation notice is unpaid or the alleged violation has not been successfully protested within thirty (30) calendar days of issuance, the Municipal Court~~

Clerk shall immediately declare it to be delinquent and the amount due shall then be the amount established by judicial order for delinquent assessments.

(b) — The owner or driver shall have thirty (30) calendar days in which to pay the delinquent penalty assessment amount or appear before the Municipal Court, 919 7th Street, Greeley, any Monday through Thursday at 8:30 a.m., except court holidays, to protest the alleged violation. In cases where a person makes payment of the original parking citation, after the thirty-day time limit, the amount paid will be considered as a partial payment.

(2) — In any case where a delinquent parking violation notice assessment is unpaid or the alleged charge has not been successfully protested within thirty (30) calendar days of the declaration of delinquency, the Clerk of the Municipal Court shall pursue collection of the amount due from the owner of the motor vehicle.

(3) — The Clerk of the Municipal Court shall adopt procedures for the collection of such delinquent parking violations which may include the engaging of collection services. The owner or driver shall additionally pay any associated collection costs, fees and/or commissions for these collection services.

11.01.1230 - Authority to impound vehicles.

(1) The City shall have the authority to impound vehicles as provided in Part 18, of this Title. In addition to circumstances set forth in Part 18 of this Title, the City may impound any vehicle and order the vehicle towed to an impound lot or the item, article or object removed when:

(a) Whenever an agent of the City finds any vehicle is found parked upon any public street or public right-of-way in violation of the parking restrictions or prohibitions contained on any official sign or signs; or

(b) when any vehicle obstructs or interferes with the free flow of traffic, street maintenance, or access of emergency vehicles or equipment; or

(c) when any item, article, object or vehicle which causes or tends to obstruct the free movement of pedestrians or other traffic upon a sidewalk; or

(d) when a motor vehicle is determined to be abandoned as that term is defined in Section 11.02.010,; the agent may order the vehicle towed to an impound lot or the item, article or object removed.

(2) — Whenever an agent of the City finds any vehicle parked upon any public street or public right-of-way that has ten (10) or more delinquent parking violations, the agent may order the vehicle towed to an impound lot.

(32) Nothing in this Section shall prohibit the towing of a vehicle to ~~the~~ an impound lot pursuant to another Section of this Code.

11.01.1240 — Retrieval of impounded vehicles.

(1) — Upon presenting appropriate proof of identification and ownership of a vehicle which has been impounded under the provisions of this Title in an impoundment lot and upon payment of the appropriate towing, storage and impoundment fees, parking assessments and delinquent parking assessments, the registered owner of an impounded vehicle may retrieve his or her vehicle.

(2) — The City shall designate hours when payment of towing, storage and impoundment fees may be accepted and vehicles may be retrieved from impoundment lots.

~~(3) — Such payment or towing, impoundment, and storage fees shall not relieve the owner of the impounded vehicle from any responsibility or liability to comply with the terms of any notice or citation issued for illegally parking the vehicle.~~

~~(4) — Disposal of abandoned vehicles. Vehicles towed from streets or highways and other property within the City and impounded as provided in this Title shall be disposed of in accordance with the procedures of the City.~~

Part 18 - Towing and Storage

11.01.1809 - Retrieval of impounded vehicles and trailers after Public Tow.

- (1) For purposes of this Section, the terms *motor vehicle* and *vehicle* shall include trailers.
- (2) Upon presenting appropriate proof of identification and ownership of a vehicle which has been impounded by the City under the provisions of this Code in an impoundment lot, and upon payment of the appropriate towing, storage and impoundment fees, parking assessments and delinquent parking assessments, the registered owner of an impounded vehicle may retrieve his or her vehicle.
- (3) The City shall designate hours when payment of towing, storage and impoundment fees may be accepted and vehicles may be retrieved from impoundment lots.
- (4) Payment of towing, impoundment, storage fees and other related fees shall not relieve the owner of the impounded vehicle from any responsibility or liability to comply with the terms of any notice or citation issued for violation of this Code.

11.01.~~1809~~1810 - Abandonment of motor vehicles and trailers; private tow.

- (1) For purposes of this Section, the terms *motor vehicle* and *vehicle* shall include trailers.
- (2) No person shall abandon any motor vehicle upon private property ~~other than his or her own, as specifically set forth in violation of~~ Section 10.28.010 of this Code. Any owner or lessee of such private property, or his or her authorized agent, may have an abandoned motor vehicle removed from his or her property by having it towed and stored by a towing operator, subject to compliance with the terms of Sections 11.01.1219 and 11.01.1801 of this Part 18-Traffic Code.
- (23) Any towing operator having in his or her possession any abandoned motor vehicle from a private tow shall immediately notify the Police Department as to the name of the operator and the location of the storage lot where the vehicle is located and a description of the abandoned motor vehicle, including the make, model, color and year, the number, issuing state and expiration date of the license plate and the vehicle identification number. Upon such notification the Police Department shall ascertain, if possible, whether or not the vehicle has been reported stolen and, if so reported, the Police Department shall ascertain and notify its rightful owner and cause termination of any abandonment proceedings. The Police Department shall have the right to recover from the owner its reasonable costs therefor.
- (34) Any towing operator shall, as soon as possible but in no event later than seventy-two (72) hours after receipt of determination that such motor vehicle has not been reported stolen, report

the same to the Department of Revenue as required by Title 42, Article 4, C.R.S., as amended from time to time. The towing operator shall further comply with all notice requirements of Title 42, Article 4, C.R.S., as amended ~~from time to time, which is adopted hereby and incorporated by reference.~~

(45) The City shall ~~make available and~~ provide notification stickers to private property owners, ~~which stickers shall be available to such owners,~~ upon request and free of charge, for placement on apparently abandoned vehicles. The notification stickers shall be similar to those used by the Police Department for vehicles abandoned on public rights-of-way, notifying a vehicle owner of abandoned status, except that the private property notice shall include an affidavit for signature by the person placing the notice. No vehicle shall be towed from private property unless the notification form has been completed in full by the person placing the notice at least 24 hours prior to removal. Additionally, the City shall ~~make available and provide to private property owners, upon request, blank towing sheets to be used for any apparently abandoned vehicle to be towed, in the event the posting of a notification sticker did not cause the vehicle's removal by the owner within twenty four (24) hours of the notice. The tow sheet provided shall show the telephone numbers of the City authorized tow services, identify the vehicle to be removed, provide for signature by the property owner or agent authorizing removal and asserting that person's authority as property owner or agent, while accepting full responsibility for the removal of the vehicle, including costs of towing incurred by the towing operator in excess of funds recovered from delivery to storage or from sale. The completed tow sheet, signed by the property owner or agent, shall be given to the towing service at the time of removal of the abandoned vehicle. The towing service shall cause delivery of a copy of the completed tow sheet to the Police Department within twenty four (24) hours of receipt thereof.~~

(5) Nothing in this Section is intended to disallow towing of vehicles as otherwise provided in this Section and Chapter from a location on City property or municipally owned or controlled property.

Chapter 2- Parking Infractions

11.02.010- Definitions.

Abandoned vehicle means:

I. Any vehicle left unattended on private property for a period of twenty-four (24) hours or longer without the consent of the owner or lessee of such property or owner's or lessee's legally authorized agent;

II. Any vehicle left unattended on public property, including any portion of a street or highway right-of-way, within the City for a period of seventy-two (72) hours or longer;

III. Any vehicle left unattended on public property, including any portion of a street or highway right-of-way, within the City that is not registered or does not have a license plate with a current registration sticker attached thereto in violation of Sections 42-3-121 and 42-3-114, C.R.S., except as provided for in Section 42-3-103, C.R.S.;

IV. Any vehicle left unattended on public property, including any portion of a street or highway right-of-way, within the City that is in a disabled or inoperable condition. A vehicle shall be deemed to be in a disabled or inoperable condition if it is junked; wrecked; wholly or partially dismantled; missing essential parts; unable to perform the functions or purposes for which it was originally manufactured; or which, due to any mechanical failure or any damage, is inoperable under its own power; or

V. A motor vehicle fitted with an immobilization device that is on public property for a period of seventy-two (72) hours or longer.

Designee means the employee or employees designated by the City Manager through Administrative Rule.

Motor vehicle or vehicle means any self-propelled vehicle that is designed primarily for travel on the public highways and that is generally and commonly used to transport persons and property over the public highways or a low-speed electric vehicle; except that the term does not include electrical assisted bicycles, low-power scooters, wheelchairs, or vehicles moved solely by human power.

Parking Enforcement Officers means any city employee who has been authorized by the City Manager to enforce any of the parking violations set forth in this Code. All employees of the Greeley Police Department are designated Parking Enforcement Officers.

Pickup Camper means a camper body capable of being loaded or unloaded from or to the bed of a pickup truck.

Trailer means any wheeled vehicle, without motive power, which is designed to be drawn by a motor vehicle and to carry its cargo load wholly upon its own structure and which is generally and commonly used to carry and transport property over the public highways.

11.02.020- Violations.

Unless otherwise specified, all violations of this Chapter shall be designated parking infractions and shall be punished pursuant to Chapter 1.34 of this Code. Those violations designated as traffic infractions shall be punished pursuant to Chapter 1.32 of this Code.

11.02.040- Stopping, standing or parking prohibited in specified places.

(1) Except as otherwise provided in Subsection (4) of this Section, no person shall stop, stand or park a vehicle or trailer, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or an official traffic control device, in any of the following places:

- (a) On a sidewalk;
- (b) Within an intersection;
- (c) On a crosswalk;
- (d) Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless the traffic authority indicates a different length by signs or markings;
- (e) Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;
- (f) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
- (g) Upon any bridge or other elevated structure or within a tunnel;
- (h) On any railroad tracks;
- (i) On any controlled-access highway;
- (j) In the area between roadways of a divided highway, including crossovers;
- (k) At any other place where official signs or markings prohibit or limit standing or parking;
- (l) Along any officially designated and posted snow removal route during a snow emergency;
- (m) In any alleyway, except as necessary during the expeditious loading and unloading of merchandise and freight;
- (n) On any parkway;
- (o) Along any roadway signed for roadway improvements on an identified date such that it states no parking on a specified date or time
- (p) On any public right of way with a vehicle or trailer with expired, missing or fictitious plates.

(2) Except as otherwise provided in Subsection (4) of this Section, in addition to the restrictions specified in Subsection (1) of this Section, no person shall stand or park a vehicle or trailer, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or an official traffic control device, in any of the following places:

- (a) Within five (5) feet of a public or private driveway;
- (b) Within five (5) feet from the curb line directly in front of a fire hydrant;

- (c) Within twenty (20) feet of a crosswalk at an intersection;
- (d) Within thirty (30) feet upon the approach to any flashing beacon or signal, stop sign, yield sign or traffic control signal located at the side of a roadway, measured from the curb line directly in front of the beacon, signal or sign;
- (e) Within twenty (20) feet of the driveway entrance to any fire station or, on the side of a street opposite the entrance to any fire station, within seventy-five (75) feet of said entrance when properly signposted;
- (f) At any other place where official signs or markings prohibit standing or parking.
- (g) Within a marked fire lane.

(3) In addition to the restrictions specified in Subsections (1) and (2) of this Section, no person shall park a vehicle or trailer, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic control device, when and where any of the following conditions exist:

- (a) Within fifty (50) feet of the nearest rail of a railroad crossing;
- (b) At any place where official signs and or markings prohibit parking.

11.02.050 - Parking in excess of seventy-two hours.

- (1) It shall be unlawful for any owner or operator of a vehicle to leave that vehicle parked in the same place on a public street or on public property continuously for a period in excess of seventy-two (72) hours where no other time limitation has been specified.
- (2) A vehicle shall be considered in violation of this subsection if it has been determined by Parking Enforcement that the vehicle has not moved or cannot be moved upon its own power.

11.02.060 - Parking at curb or edge of roadway.

- (1) Except as otherwise provided in this Section, every vehicle or trailer stopped or parked upon a two-way roadway shall be so stopped or parked with the right-hand wheels parallel to and within twelve (12) inches of the right-hand curb or as close as practicable to the right edge of the right-hand shoulder.
- (2) Except as otherwise provided by local ordinance, every vehicle or trailer stopped or parked upon a one-way roadway shall be so stopped or parked parallel to the curb or edge of the roadway in the direction of authorized traffic movement, with its right-hand wheels within twelve (12) inches of the right-hand curb or as close as practicable to the right edge of the right-hand shoulder or with its left-hand wheels within twelve (12) inches of the left-hand curb or as close as practicable to the left edge of the left-hand shoulder.
- (3) Local authorities may by ordinance permit angle parking on any roadway; except that angle parking shall not be permitted on any state highway unless the Department of Transportation has determined by resolution or order entered in its minutes that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.

11.02.070 - Parking in alleys.

(1) No person shall park a vehicle or trailer within an alley except during the necessary and expeditious loading and unloading of merchandise or freight.

(2) No person shall stop, stand or park a vehicle or trailer within an alley in such position as to block the driveway or entrance to any abutting property.

(3) No person shall park a vehicle or trailer within an alley where signs or markings prohibit such parking

11.02.080 - Angle parking.

On those streets which have been approved and signed or marked for angle parking, no person shall stop, stand or park a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings, nor shall any person back a vehicle into any angle parking space on streets which have been approved and signed or marked for angle parking.

11.02.090 - Parking certain vehicles prohibited in specified areas; exceptions.

(1) Parking oversized vehicles on public right-of-way. No person shall stop, park or leave standing any vehicle with six thousand (6,000) pounds or more in weight, whether such vehicle be attended or unattended, in public rights-of-way in any area of the City zoned R-L, R-M, R-H, RMH or RE, for more than forty-eight (48) hours. A vehicle owner of any six-thousand-pound or greater weight vehicle shall not park said vehicle on the street in front of the owner's residence or within one hundred (100) feet of his or her residence, if the vehicle can legally be parked on the owner's property instead. No person shall park or leave standing any vehicle exceeding six (6) feet in height in a public right-of-way in such a manner that any part of the vehicle that exceeds forty-two (42) inches in height shall be:

(a) Within thirty (30) feet of an intersection or a crosswalk; or

(b) Within five (5) feet of a public or private driveway.

(2) Parking oversized vehicles on private property. No person shall park or leave standing any vehicle exceeding six (6) feet in height on private property in such a manner that any part of that vehicle which exceeds forty-two (42) inches in height shall be:

(a) Within five (5) feet of the flow line of public rights-of-way; or

(b) Within twelve (12) inches of the edge of any attached or detached sidewalk in a public right-of-way.

(3) Obstructing traffic control devices with oversized vehicles. No person shall park or leave standing a vehicle in a public right-of-way in such a manner that any part of the vehicle that exceeds six (6) feet in height shall be within thirty (30) feet of any official traffic control device.

(4) Detached trailers, pickup campers and boats.

(a) No trailer shall be detached from a towing vehicle and left standing in any public right-of-way unless the owner has obtained an appropriate permit for building or construction, or as authorized by subsection (5)(c).

(b) No pickup camper shall be unloaded from a pickup truck and left standing in any public right-of-way.

(c) No boat, whether standing on a trailer or standing by itself, shall be left standing on any public right-of-way unless attached physically to a motor vehicle.

(5) Oversized commercial vehicles. For purposes of this Section, oversized commercial vehicle means any vehicle registered, licensed or used for commercial purposes or displaying advertisements for commercial enterprise and exceeding twenty (20) feet in length or trailers exceeding fifteen (15) feet or eight (8) feet or more in height, or eight thousand (8,000) pounds or more in weight. Oversized commercial vehicles are prohibited from parking in any area in the City zoned R-L, R-M, R-E, R-MH or R-H, either on the street, traveled roadway or public right-of-way, with the following exceptions:

(a) Loading or unloading moving vans or similar-type vehicles used for moving personal goods, for a period not to exceed twenty-four (24) hours. Pods or similar temporary storage enclosures shall be regulated the same as oversized commercial vehicles and shall not exceed a period of forty-eight (48) hours;

(b) Temporary parking for purposes of pick-up or delivery, for a period not to exceed thirty (30) minutes;

(c) Construction equipment or machinery employed in any authorized construction project, for a period not to exceed the completion of such construction or construction project and must comply with all regulatory parking requirements, and obtain all required permits.

(6) Prohibited uses. No person shall use any motor vehicle, bus, trailer, coach, mobile home, self-propelled motor home or recreational equipment for living, sleeping, housekeeping or preparation of food while parked on any public right-of-way or on publicly owned property within the City except in accordance with Title 6 of this Code.

(7) Measurements. Measurements made in the enforcement of this Section shall be made as follows:

(a) The height of vehicles shall be measured perpendicular to the parking surface to the uppermost portion of the vehicle, including loads or any projections attached thereto, with the exception of radio antennae, exhaust pipes and vents.

(b) The length of vehicles shall be measured parallel to the long axis of the vehicle and shall include any projections permanently or temporarily attached thereto.

11.02.110 - Parking of compact cars only; tow away zone on certain streets.

(1) On any street or at any place within the City on public rights-of-way or on public property when appropriate signs are posted giving notice of parking of compact cars only as authorized, no person shall stop, stand or park a vehicle in any manner unless such vehicle is a compact car, and such vehicle is wholly contained, including bumpers and any type of attached projection, within the pavement markings.

(2) For purposes of this Section only, compact car is defined as any vehicle no longer than sixteen (16) feet, such measurement to be made parallel to the long axis of the vehicle and including any projections permanently or temporarily attached thereto.

(3) The Traffic Engineer, or his or her designee, shall cause visible markings to be placed on the pavement, such markings to establish side and end markings for compact only parking spaces.

(4) Compact-car-only parking areas shall be established by the Traffic Engineer or his or her designee after consultation with the Chief of the Fire Department. Such parking shall be established to maintain necessary fire emergency lanes. The Traffic Engineer or his or her designee shall cause such lanes to be clearly marked as fire lanes; tow-away zones.

(5) Any vehicle parked, stopped or standing in violation of Subsection (1) of this Section may be towed away.

11.02.120 - Parking Restrictions.

(1) The Designee may designate certain areas that are subject to parking restrictions based upon factors to include, but not be limited to:

- (a) proximity to special generators; availability of both on- and off-street parking;
- (b) vehicular and parking capacity, including the width, grade and curve of the area's streets;
- (c) existing traffic control measures;
- (d) traffic volume; and
- (e) utility and emergency service access.

(2) The Designee shall establish the boundaries of each area that is subject to parking restrictions and each area shall be identified through appropriate postings and signage.

(3) Parking restrictions may include:

- (a) Areas where parking is authorized by permit only pursuant to 11.02.140;
- (b) Areas where parking is limited by posting of appropriate signage; and
- (c) Restricted Parking Zones as authorized in 11.02.070.

11.02.130 - Overtime parking violations generally.

(1) Where any section of this chapter, or any sign posted pursuant to the provisions of this chapter, prohibits parking in excess of any stated period of time in any given parking space or other designated area, a vehicle shall be considered in violation of that restriction if it does not comply with instructions outlined on the signage.

(2) This section shall not apply if a payment has been made for overtime parking in a Restricted Parking Zone as authorized in Section 11.02.150.

11.02.140 - Parking by permit only; time limitations.

(1) On any street or at any place within the City when appropriate signs are posted giving notice of parking by permit only as authorized, no person shall stop, stand or park a vehicle in any manner unless such vehicle shall have a valid permit for such parking.

(2) Permits for parking in permit parking areas shall be issued by the Designee. The Designee shall adopt procedures for the issuance of such permits, the duration of the permits and required fees. The Designee shall also determine the location of permitted areas.

(3) Residential permit areas will be designated by the Designee based on occupancy criteria and in accordance with guidelines established by the Parking Services Office.

(4) The City may enter into agreements with governmental and non-governmental entities that own parking lots available for public use, authorizing parking to be enforced by Parking Enforcement Officers. Said agreements shall require the posting of appropriate signs.

11.02.150 - Restricted Parking Zones.

(1) The Designee may establish Restricted Parking Zones within the City. Restricted Parking Zones shall contain posted time limits that may include other restrictions for parking in the street that apply to all vehicles.

(2) No person shall stop, stand or park a vehicle in any manner in excess of the posted time limitation in any Restricted Parking Zone except as set forth in paragraph (3) herein.

(3) Overtime parking within a Restricted Parking Zones is authorized only if payment is made to the City for such additional time.

(a) Such payment may be made through parking payment devices, through electronic means, or in any other manner deemed appropriate by the Designee.

(b) Each Restricted Parking Zone sign shall display the days and hours when the requirement to make payment shall apply.

11.02.160 - Rate setting for parking payment devices and permits.

The Designee shall determine parking rates to be charged at parking payment devices for parking in city right-of-way and other city-controlled parking areas. Rates may vary according to location, time of day, maximum parking time allowed, the capabilities of available parking payment devices, and any other factors the Designee determines are pertinent.

11.02.170 - Parking privileges for persons with disabilities.

(1) As used in this Section:

(a) License plate or placard means a license plate or placard issued pursuant to State law.

(b) Person with a disability has the meaning provided for such term pursuant to State law.

(2) A vehicle with a license plate or a placard obtained pursuant to Section 42-3-204, C.R.S., or as otherwise authorized by Subsection (4) of this Section may be parked in public parking areas along public streets but are held to the same time limitations as all others.

(3) Reserved Parking Spaces.

(a) A person with a disability may park in a parking space identified as being reserved for use by persons with disabilities, whether on public property or private property available for public use. A placard or license plate obtained pursuant to Section 42-3-204, C.R.S., or as otherwise authorized by Subsection (4) of this Section shall be clearly displayed at all times on the vehicle while parked in such space.

(b) The owner of private property available for public use may post signs or markings identifying parking spaces reserved for use by persons with disabilities. Such posting shall be a waiver of any objection the owner may assert concerning enforcement of this Section by Parking Enforcement Officers or peace officers of any political subdivision of this State, and such officers are hereby authorized and empowered to so enforce this Section, provisions of law to the contrary notwithstanding.

(c) Each parking space reserved for use by persons with disabilities, whether on public property or private property, shall be marked with an official upright sign or official markings on the pavement, which sign may be stationary or portable, identifying such parking space as reserved for use by persons with disabilities.

(4) Persons with disabilities from states other than Colorado shall be allowed to use parking spaces for persons with disabilities in Colorado so long as such persons have valid license plates or placards from their home state that are also valid pursuant to 23 CFR part 1235.

(5) It is unlawful for any person other than a person with a disability to park in a parking space on public or private property that is clearly identified by an official sign or pavement markings as being reserved for use by persons with disabilities unless:

(a) Such person is parking the vehicle for the direct benefit of a person with a disability to enter or exit the vehicle while it is parked in the space reserved for use by persons with disabilities; and

(b) A license plate or placard obtained pursuant to Section 42-3-204, C.R.S., or as otherwise authorized by Subsection (4) of this Section is displayed in such vehicle.

(6) Any person who is not a person with a disability and who exercises the privilege defined in Subsection (2) of this Section or who violates the provisions of Subsection (5) or Subsection (9) of this Section commits a traffic offense.

(7) Any person who is not a person with a disability and who uses a license plate or placard issued to a person with a disability pursuant to Section 42-3-204, C.R.S., in order to receive the benefits or privileges available to a person with a disability under this Section, commits a traffic offense.

(8) Any law enforcement officer, public safety technician or authorized parking enforcement official may check the identification of any person using a license plate or placard for persons with disabilities in order to determine whether such use is authorized.

(9) It is unlawful for any person to park a vehicle so as to block reasonable access to curb ramps or passenger loading zones, as identified 28 CFR part 36 (Appendix A), that are clearly identified and are adjacent to a parking space reserved for use by persons with disabilities unless such person is loading or unloading a person with a disability.

(10) It shall be the duty of the Traffic Engineer to provide for adequate handicapped parking zones on public property as authorized by law. Handicapped parking zones on private property that are available for public use shall be posted with a sign meeting the requirements of sign R7-8 as provided for in Section 2B-31 of the United States Department of Transportation, Federal Highway Administration Manual on Uniform Traffic Control Devices.

11.02.180 - Abandoned and Unattended vehicles unlawful.

(1) It is unlawful for any person to abandon any vehicle upon public property or upon private property other than his or her own.

(2) It is unlawful for any person to leave any vehicle which he or she owns or controls unattended within any portion of a street or highway right-of-way within the City for a period of seventy-two (72) hours or more.

(3) Nothing in this Chapter shall limit the authority of a Parking Enforcement Officer to move or impound a vehicle as authorized in this Title.

11.02.190 - Authority to impound vehicles.

(1) Any vehicle, attended or unattended, standing upon any portion of a street or highway right-of-way within the City in such a manner as to constitute a hazard or obstruction to traffic or to roadway maintenance shall be impounded as authorized in Part 18 of this Title.

(2) Any abandoned vehicle shall be impounded as authorized in Part 18 of this Title.

(3) During a snow emergency or roadway improvement project, the Director of Public Works, or his or her designee, may direct that any vehicle illegally parked upon a properly signed and posted snow removal route or within a roadway improvement project area, may be towed to either the nearest legal parking area or be impounded in the same manner as prescribed for an abandoned vehicle in Part 18 of this Title.