

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 1065**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO AMENDING
CHAPTER 8 OF THE *MEAD MUNICIPAL CODE* TO ADD ARTICLE VII
CONCERNING OVERNIGHT PARKING ON TOWN-OWNED PROPERTY AND
PLUG-IN ELECTRIC VEHICLE PARKING REGULATIONS**

WHEREAS, the Board of Trustees of the Town of Mead (“Board of Trustees”) has the authority pursuant to its general police powers to pass and enforce regulations which may be necessary or expedient for the promotion of the health, safety, and welfare of the citizens of the Town of Mead (“Town”); and

WHEREAS, C.R.S. § 42-4-1213 establishes parking regulations for plug-in electric vehicles in the State of Colorado and C.R.S. § 42-4-1701 sets penalties for violations of such regulations; and

WHEREAS, the Town has invested in the installment of parking spaces for plug-in electric vehicle charging on Town-owned property; and

WHEREAS, the Town desires to establish regulations for the use of parking spaces designated for plug-in electric vehicle charging and to set penalties for violations consistent with state law; and

WHEREAS, the Town further desires to implement provisions that prohibit overnight parking on any Town-owned property and to establish penalties for violations; and

WHEREAS, the Board of Trustees finds that the amendments to the Mead Municipal Code (“MMC”) as set forth herein are in the best interests of the health, safety and welfare of the public.

NOW THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Mead, Weld County, Colorado, that:

Section 1. Chapter 8 of the MMC is now amended to add Article VII titled “Overnight Parking on Town-Owned Property; Plug-In Electric Vehicle Parking Regulations” as follows:

ARTICLE VII - Overnight Parking on Town-Owned Property; Plug-In Electric Vehicle Parking Regulations

Sec. 8-7-10. Prohibition of overnight parking on Town-owned property.

No person, with the exception of Town-authorized personnel, shall park a vehicle on any Town-owned property for a period of time longer than thirty (30) minutes between the hours of 8:00 p.m. and 7:00 a.m. the following day.

Sec. 8-7-20. Parking in spaces designated for charging a plug-in electric vehicle (Plug-In Electric Vehicle Parking Regulations).

- (a) As used in this Section, *plug-in electric vehicle* shall mean any motor vehicle that can be recharged from an external source of electricity and that uses electricity stored in a rechargeable battery pack to propel or contribute to the propulsion of the vehicle's drive wheels. It shall be presumptive evidence that a vehicle is a plug-in electric vehicle if the vehicle displays a plug-in electric vehicle decal issued by the State of Colorado.
- (b) This Section applies to all spaces designated for plug-in electric vehicle charging on Town-owned

property and on private property. The designation of such spaces by a private property owner or lessee has the same effect as designation by public authority and operates as a waiver of any objection to enforcement by peace officers.

- (c) A person shall not park a motor vehicle within a parking space designated for charging a plug-in electric vehicle unless the vehicle is a plug-in electric vehicle.
- (d) When a traffic control sign is in place giving notice thereof, no vehicle shall remain in a space designated for plug-in electric vehicles for longer than the time designated thereon.
- (e) Except as provided in subsection (f) of this Section, a person shall not park a plug-in electric vehicle in a parking space with a dedicated charging connector for the parking space unless the person is parked in the charging station for the purpose of charging the plug-in electric vehicle.
 - (1) A plug-in electric vehicle is rebuttably presumed to not be charging if the motor vehicle is:
 - a. Parked in a charging station parking space with a dedicated charging connector for the space; and
 - b. Not continuously and electrically connected to the charger for longer than thirty (30) minutes.
- (f) A person may park a plug-in electric motor vehicle at a charging station after the motor vehicle is fully charged in a parking lot that serves a lodging business if the person is a client of the lodging business and has parked the plug-in electric motor vehicle in the lot to charge overnight.

Sec. 8-7-30. Violations; penalties.

Any person in violation of this Article shall be subject to the general penalty provisions of this Code at Section 1-4-20 as it relates to noncriminal violations. Fines for each violation of this Article shall be set forth in the municipal court fee schedule adopted pursuant to Section 2-5-270 of this Code, and as the same may be amended from time to time.

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

Section 3. **Remaining provisions.** Except as specifically amended hereby, all other provisions of the Mead Municipal Code shall continue in full force and effect.

Section 4. **Codification Amendments.** The codifier of the MMC is hereby authorized to make such numerical, technical and formatting changes as may be necessary to incorporate the provisions of this ordinance within the MMC.

Section 5. **Severability.** If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the ordinance. The Board of Trustees hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more part, section, subsection, sentence, clause or phrase is declared invalid.

Section 6. **Repealer.** All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

Section 7. **Certification.** The Town Clerk shall certify to the passage of this ordinance and make not less than one copy of the adopted Code available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 26TH DAY OF AUGUST, 2024.

ATTEST:

TOWN OF MEAD:

By: _____
Marisol Herman, Deputy Town Clerk

By: _____
Colleen G. Whitlow, Mayor