

**PALMER LAKE, COLORADO**

**ORDINANCE NO. 10-2022**

**AN ORDINANCE AMENDING CHAPTER 10.04 OF THE PALMER LAKE MUNICIPAL CODE BY ADOPTING BY REFERENCE THE 2020 EDITION OF THE MODEL TRAFFIC CODE FOR COLORADO**

**WHEREAS**, the Board of Trustees of the Town of Palmer Lake, Colorado, pursuant to Colorado statute and the Palmer Lake Municipal Code, is vested with the authority of administering the affairs of the Town of Palmer Lake, Colorado;

**WHEREAS**, the Town had previously adopted the Model Traffic Code with certain additions or modifications, contained in Chapter 10.04; and,

**WHEREAS**, the Model Traffic Code for Colorado, published by the Colorado Department of Transportation and revised in 2020, embodies the rules of the road and vehicle requirements as set forth in Article 4 of Title 42 of the Colorado Revised Statutes; and

**WHEREAS**, §42-4-110(1) of the Colorado Revised Statutes authorizes local authorities to adopt by reference all or any part of the Model Traffic Code for Colorado; and

**WHEREAS**, §42-4-110 and §42-4-111 of the Colorado Revised Statutes authorizes local authorities to enact and enforce traffic regulations on roads and streets anywhere within their jurisdiction; and

**WHEREAS**, the Town of Palmer Lake desires to adopt the 2020 revised edition of the Model Traffic Code for Colorado; and

**WHEREAS**, the Town Board of Trustees, after proper notice as required by law, has held a public hearing on this ordinance providing for the adoption of the 2020 revised edition of the Model Traffic Code for Colorado

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE AS FOLLOWS:**

1. Chapter 10.04 of Title 10 of the Palmer Lake Municipal Code shall be amended in its entirety with such Chapter 10.04 to read in its entirety as follows:

**10.04.010 Adoption.**

Pursuant to parts 1 and 2 of article 16 of title 31 and part 4 of article 15 of title 30, C.R.S., there is hereby adopted by reference the 2020 edition of the "Model Traffic Code" promulgated and published as such by the Colorado Department of Transportation, Traffic Safety and Engineering Services, 2829 W Howard Place, Denver, CO 80204. The subject matter of the Model Traffic Code relates primarily to comprehensive traffic control regulations for the City, Town, County. 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 (3) copies of the Model Traffic Code adopted herein are now filed in the office of the Clerk of the Town of Palmer Lake, Colorado, and may be inspected during regular business hours.

**10.04.020 Deletions.**

The 2020 edition of the Model Traffic Code is adopted as if set out at length save and except the following sections which are declared to be inapplicable to this municipality and are therefore expressly deleted: None.

**10.04.030 Additions or Modifications.**

The said adopted Code is subject to the following additions or modifications:

A. Section 1101(2)(c) is amended to read as follows: (c) 20 miles per hour in any residence district, as defined in Section 42-1-102(80), C.R.S..

B. A Section 1213 is created to read as follows:

1213: Parking not to obstruct traffic or maintenance. No person shall park any vehicle upon any street or highway in such a manner or under such conditions as to interfere with the free movement of vehicular traffic or proper street or highway maintenance or snow removal.

No person shall park a vehicle at any time on any portion of Walnut Avenue or Lovers Lane. A "No Parking Zone" is hereby created on both sides of the street and will be designated by signs indicating "No Parking" at the entrance and exit of each street. Such signage will have an enforcement zone equal to the length of the street and will constitute notice to all persons of said "No Parking Zone".

A person who violates Section 1213 shall, upon conviction or an entry of a guilty plea, be subject to a fine of \$50.00 plus court costs and surcharges. Such fine may be adjusted by resolution of the Board of Trustees as it deems necessary from time to time and such fine shall be added to the Town's fee schedule.

C. Section 614 is amended to read as follows:

Section 614: Designation of highway maintenance, repair or construction zones - signs - increase in penalties for speeding violations

(1) If maintenance, repair, or construction activities are occurring or will be occurring within four hours on a state highway or municipal street, the department of transportation or municipal authorities, within their respective jurisdictions, may designate such portion of the highway as a highway maintenance, repair, or construction zone. Any person who commits a speeding violation in a maintenance, repair, or construction zone that is designated pursuant to the provisions of this section is subject to increased penalties and surcharges.

(2) The department of transportation or municipal authorities, within their respective jurisdictions, shall designate by appropriate signs a maintenance, repair, or construction activity is taking place or will be taking place within four hours. Such sign shall notify the public that increased penalties for speeding violations are in effect in such zone. The department of transportation or local authorities shall erect or place a second sign after such zone indicating that the increased penalties for speeding violations are no longer in effect. A maintenance, repair, or construction zone begins at the location of the sign indicating that increased penalties are in effect and ends at the location of the sign indicating that the increased penalties are no longer in effect.

(3) Signs used for designating the beginning and end of a maintenance, construction, or repair zone shall conform to department of transportation requirements. The department of transportation or local authority may display such signs on any fixed, variable, or moveable stand. The department of transportation or local authority may place such a sign on a moving vehicle if required for certain activities, including, but not limited to, highway painting work.

#### **10.04.040 Penalties.**

The following penalties, herewith set forth in full, shall apply to this ordinance:

(a) It is unlawful for any person to violate any of the provisions adopted in this ordinance.

(b) Every person convicted of a violation of any provision adopted in this ordinance shall be punished by fine, in addition to court costs and surcharges, not to exceed two thousand, six hundred and fifty dollars, (\$2,650.00).

(c) The Town Board of Trustees hereby adopts the Town Traffic Fine

Schedule and authorizes its future adjustment by resolution from time to time as deemed necessary by the Town Board of Trustees.

**10.04.050 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 outside the corporate limits of this municipality or county, the use of which this municipality or county has jurisdiction and authority to regulate.

**10.04.060 Validity.**

If any part or parts of this ordinance are for any reason held to be invalid such decision shall not affect the validity of the remaining portions of this ordinance. The Town Board of Trustees hereby declares that it would have passed this ordinance and each part or parts thereof, irrespective of the fact that any one part or parts be declared invalid.

**10.04.070 Repeal.**

Existing or parts of ordinances covering the same matters as embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are 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.

**10.04.080 Interpretation.**

This ordinance shall be so interpreted and construed as to effectuate its general purpose to conform with the State's uniform system for the regulation of vehicles and traffic. Article and section headings of the ordinance and 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 thereof.  
Section

**10.04.090 Certification.**

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

