

CHAPTER 15

Traffic

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ARTICLE I

In General

Sec. 15-1. Recognition of state highways.

By an ordinance adopted by the City on June 9, 1958, the City recognized a portion of State Highway No. 103 within the City as a connecting link in the state highway system and made certain agreements in connection therewith; and by a separate ordinance adopted on the same date, the City made certain agreements in connection with the State Highway No. 2 freeway. These ordinances shall not be repealed by the adoption of this Code, and the provisions of the ordinances shall be in effect and shall supplement and take precedence over any other provision stated in this Chapter.

(Ord. 8 §1, 2006)

Sec. 15-2. Chief of Police to be Traffic Engineer.

Until such time as another person is appointed by the City Council to serve as the Traffic Engineer for the City, the Chief of Police is hereby designated as the Traffic Engineer and shall have the authority and perform the duties which are authorized or required to be performed by the Traffic Engineer under the traffic code.

(Ord. 8 §1, 2006)

Sec. 15-3. Manual on Uniform Traffic Control Devices adopted.

For the purpose of regulating the size, shape, color, placement, etc., of traffic control devices, there is hereby adopted the Manual on Uniform Traffic Control Devices as adopted by the Federal Highway Administration.

(Ord. 8 §1, 2006)

Sec. 15-4. Parking plan.

The City Council shall, from time to time by resolution, adopt a parking plan for the City.

(Ord. 8 §1, 2006)

Sec. 15-5. Violations of parking plan prohibited.

It is unlawful for any person to violate any provision of the duly adopted City parking plan. Any such violation shall be a traffic infraction subject to the penalties provided by Section 15-23 of this Code.

(Ord. 8 §1, 2006)

Sec. 15-6. Tourist-oriented directional signs.

The erection of tourist-oriented directional signs in accordance with Section 43-1-420, C.R.S., as amended, and in accordance with all rules and regulations of the Colorado Department of Transportation, is hereby authorized. Any such signs shall be subject to and must comply with all applicable ordinances and the regulations of the City. The Public Works Department is directed to coordinate application for and installation of tourist-oriented directional signs with the Colorado Department of Transportation.

(Ord. 8 §1, 2006)

Sec. 15-7. Limitations on the use of certain vehicles and equipment.

It is unlawful for any person to drive, install, cause the installation to be made or use upon any motor vehicle any siren, exhaust whistle or bell, red lights visible from the front of a motor vehicle or red spotlight, except that nothing in this Chapter shall prevent the possession, use or installation of such equipment on any City, County, State or federally owned vehicle, or any vehicle authorized or permitted to have or use any such equipment by the laws of the State, if there is compliance with all requirements of any such state laws, including obtaining necessary permits, licenses or approvals, as required by any such state laws or applicable municipal ordinance.

(Ord. 8 §1, 2006)

Sec. 15-8. Vehicle type and weight restrictions.

(A) The following designated area or portions of certain streets shall be restricted to passenger cars, and to empty pickups of three-fourths ($\frac{3}{4}$) ton or less:

Virginia Street: The south or retaining wall side:

From 11th Avenue to 13th Avenue.

From 19th Avenue to 21st Avenue.

From 22nd Avenue to 23rd Avenue.

Water Street:

From 14th Avenue to 15th Avenue.

(B) It is unlawful for any person to drive or move, or for the owner to cause or knowingly permit to be driven or moved, any vehicle exceeding a weight of eight thousand (8,000) gross vehicle weight (GVW) on the following streets or portions of streets thereof:

Miner Street:

Between Miner Street Bridge and 13th Avenue.

Vehicles making deliveries to locations on Miner Street are excepted.
(Ord. 8 §1, 2006)

Sec. 15-9. Parking violations; impoundment for unpaid fines; disposition of vehicles.

(A) Definitions. For purposes of this Section, the following words and phrases shall have the following meanings:

Chief of Police. The Chief of Police of the Police Department, or his or her designee.

City Administrator. The City Administrator of the City or his or her designee or, in the event such position is or becomes vacant, such person as designated by the City Council.

City parking violation. Any penalty assessment, citation or other form of notice of violation issued for parking a motor vehicle in violation of any regulation concerning the parking of vehicles on any street, highway, sidewalk or other public way or place within the City, including but not limited to the parking regulations contained in this Chapter and in the Model Traffic Code adopted herein by reference.

Towing and storage charges. Those charges for the towing, impound and storage of vehicles as fixed from time to time by resolution of the City Council, or as fixed by contract between the City and any City-approved towing service and/or storage facility. Such charges shall be available for public inspection in the office of the authorized agent and at the Police Department.

(B) Impoundment – authorized when. The Police Department is authorized to tow, impound and store any motor vehicle against which two (2) or more City parking violations are outstanding and unpaid at the time of such tow.

(C) Release of impounded vehicle. A vehicle towed, impounded and stored pursuant to this Section shall be released only upon full payment of the towing and storage charges, the outstanding fines and penalties for City parking violations and any other penalties provided for parking violations, or upon a finding of no probable cause for the towing and impoundment pursuant to Subsection (E) below.

(D) Notice of impoundment. Whenever a vehicle is towed and impounded pursuant to this Section, the Chief of Police shall provide notice as follows:

- (1) Registered owner unknown. If the Chief of Police is unable to determine the name and address of the registered owner of the towed vehicle, he or she shall give notice to the Motor Vehicle Division of the Colorado Department of Revenue as provided by state law applicable in cases of vehicles abandoned on public property, codified at Section 42-4-1804(1)(b), C.R.S., as amended.
- (2) Registered owner known. If the Chief of Police is able to determine the name and address of the registered owner of the towed vehicle and any lien holders of record, he or she shall provide notice to said owner and lien holders by personal service or by mailing notice to the addresses for the same as listed on the vehicle registration via certified mail, return receipt requested. Notice shall be deemed properly given if sent via certi-

fied mail to said addresses, regardless of whether any person at such address accepts and signs the return receipt.

- (3) Time of notice. Notice shall be provided no later than five (5) business days after the date the vehicle was towed, or after the Chief of Police receives notice of the registered owner from the State Motor Vehicle Division, as applicable.
- (4) Contents of notice. A notice issued pursuant to this Section shall include the following:
 - (a) Advisement that the vehicle was towed and impounded by the Police Department for nonpayment of parking violations and the date of such towing and impoundment;
 - (b) A description of the vehicle, including its VIN number;
 - (c) The location at which the vehicle is stored;
 - (d) Advisement that any person having legal entitlement to possession of the vehicle may redeem the vehicle by paying the outstanding fines for City parking violations (amount specified) and the towing and storage charges, and instructions regarding the method to redeem the vehicle, including location, telephone number and business hours of places where such payments can be made;
 - (e) Advisement that any person having legal entitlement to possession of the vehicle may request a hearing to determine the lawfulness of the towing and impound by filing a written demand with the City Administrator within ten (10) days of the date of such notice, regardless of whether the vehicle is first redeemed; and
 - (f) Advisement that, if no person having legal entitlement to possession of the vehicle redeems the vehicle or requests a hearing to determine the lawfulness of the towing and impound within ten (10) days after the date of such notice, the vehicle will be deemed abandoned and will be disposed of as provided by state law applicable in cases of vehicles abandoned on public property, codified at Section 42-4-1804(1)(b), C.R.S., as amended.
- (E) Hearing on impoundment.
 - (1) Any person having legal entitlement to possession of a vehicle towed and impounded pursuant to this Section has the right to an administrative hearing to determine whether there was probable cause to tow and impound the vehicle, regardless of whether the vehicle is first redeemed.
 - (2) Such person must file a written demand for a hearing with the City Administrator within ten (10) days after the date of the notice provided pursuant to Subsection (D) above, and pay a hearing fee as set forth in the City's fee schedule.
 - (3) An administrative hearing shall be conducted by the City Administrator within two (2) business days of the City Administrator's receipt of a hearing demand unless the demanding party agrees to a later date.
 - (4) The sole purpose of the hearing shall be to establish whether or not probable cause existed for the towing and impoundment. The hearing shall be informal and shall not be bound by technical rules of evidence. The City Administrator may, in his or her sole discretion, accept any evidence and testimony that he or she believes is relevant and helpful to the determination of probable cause. The person demanding the hearing shall have the burden to establish that such person has the right to possession of the vehicle. The Police Department shall have the burden to establish that there was probable cause to tow and impound the vehicle.
 - (5) The City Administrator shall issue written findings and a decision as soon as practical after the hearing is concluded, but in no event later than two (2) business days after the hearing is conducted. A copy of the decision shall be provided to the person demanding the hearing and the registered owner of the vehicle (if not the person requesting the hearing) via first-class, postage-prepaid U.S. mail. The decision of the City Administrator shall be the final order of the City for purposes of determining availability of judicial review.
 - (6) If the City Administrator issues a finding of no probable cause for impoundment, the vehicle shall be released without cost to the person having legal entitlement to possession. If such person has redeemed the vehicle,

the City shall reimburse such person the costs of towing and storage paid by such person and all fines for parking violations attributable to the vehicle which are not in fact due and owing to the City. If the City Administrator issues a finding of probable cause for impoundment, the provisions of this Section governing redemption and disposition of the vehicle shall continue to apply, except for the hearing provisions of this Subsection, which may be exercised only once per impoundment.

(7) The failure of any person entitled to a post-impoundment hearing to demand a hearing within the time provided or to attend a scheduled hearing shall constitute an absolute and final waiver of such hearing right.

(F) Vehicles deemed abandoned; disposition. Any vehicle towed and impounded pursuant to this Section and not sooner redeemed shall be deemed abandoned upon:

(1) The expiration of seventy-two (72) hours after the entry of an order of probable cause for such towing and impoundment following a hearing pursuant to Subsection (E) above; or

(2) The expiration of the ten-day period specified in the notice provided in Subsection (D) above if no demand for hearing is filed, as applicable.

Any vehicle deemed abandoned pursuant to this Subsection shall be disposed of and the proceeds of any sale thereof distributed, as provided by state law applicable in cases of vehicles abandoned on public property, codified at Sections 42-4-1805 through 1811, inclusive, C.R.S., as of the effective date of this Section.

(Ord. 8 §1, 2006)

Sec. 15-10. Obstructing highway or other passageway.

(A) A person commits an offense if, without legal privilege, he or she intentionally, knowingly or recklessly:

(1) Obstructs a highway, street, sidewalk, railway, waterway, building entrance, elevator, aisle, stairway or hallway to which the public or a substantial group of the public has access, or any other place used for the passage of persons, vehicles or conveyances, whether the obstruction arises from his or her acts alone or from his or her acts and the acts of others; or

(2) Disobeys a reasonable request or order to move issued by a person he or she knows to be a peace officer, a firefighter or a person with authority to control the use of the premises, to prevent obstruction of a highway or passageway or to maintain public safety by dispersing those gathered in dangerous proximity to a fire, riot or other hazard.

(B) For purposes of this Section, *obstruct* means to render impassable or to render passage unreasonably inconvenient or hazardous.

(C) An offense under this Section is a misdemeanor.

(Ord. 8 §1, 2006)

Sec. 15-11—15-20. Reserved.

ARTICLE II
Model Traffic Code

Sec. 15-21. Adoption.

There is hereby adopted by reference the revised 2010 edition of the Model Traffic Code for Colorado, including Appendix I thereto, entitled "Definitions," promulgated and published by the Colorado Department of Transportation, Safety and Traffic Engineering Branch, 4201 East Arkansas Avenue, EP 700, Denver, Colorado, 80222, subject to the amendments set forth herein. The subject matter of the Model Traffic Code relates primarily to comprehensive traffic control regulations for the City. The 2010 edition of the Model Traffic Code is adopted as if set out at length, with amendments as set forth herein. The purpose of this Article and the code adopted herein is to provide a system of traffic regulation consistent with state law and generally conforming to similar regulations throughout the State and the Nation. Three (3) copies of the revised 2010 Model Traffic Code adopted herein are now filed in the office of the City Clerk, and may be inspected during regular business hours.
(Ord. 6 §2, 2010)

Sec. 15-22. Additions or modifications.

The revised 2010 Model Traffic Code adopted by this Article is subject to the following additions or modifications:

- (1) Part 6 is amended by repealing and reenacting Section 614, to read in its entirety as follows:

"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 (4) 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 (4) 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."

- (2) Part 11, Section 1101(2) is hereby amended to read as follows:

"The speed limit within the City of Idaho Springs, which shall be prima facie evidence, that the speed is reasonable and prudent, shall be twenty (20) miles per hour throughout the city except as posted and designated in the Schedules set forth in Chapter 15, Article III of the Idaho Springs Municipal Code."

- (3) Part 12, Sections 1204(2)(c) and (d) are hereby amended and modified to read as follows:

"(c) Within ten (10) feet of a crosswalk at an intersection;

"(d) Within ten (10) feet of any flashing beacon, stop sign, or traffic control signal at the side of the roadway."

- (4) It is hereby added to Part 12, a section to be numbered 1212, which shall read as follows:

"1212. Petroleum transports prohibited. It shall be unlawful for any person to park any truck or transport vehicle with a load capacity of 2,000 gallons, or more, carrying gasoline or other flammable liquid, having a flash point below 210 degrees Fahrenheit, upon the streets of the City between the hours of 6:00 p.m. and 8:00 a.m. and within a residential district of the City of Idaho Springs at any time except for the purposes of delivery of such flammable liquid to a residence within a district."

(Ord. 6 §2, 2010)

Sec. 15-23. Classification of traffic offenses and penalties.

Section 1701 of the Model Traffic Code, concerning the classification of traffic offenses and schedule of fines, is amended to read in its entirety as follows:

"1701. Classification of traffic violations – schedule of fines.

"(1) Except as set forth herein, it is a traffic infraction for any person to violate any of the provisions of the Model Traffic Code, 2010 edition, as adopted by the City of Idaho Springs. Such a traffic infraction shall constitute a civil matter for which there is not a right to a trial by jury.

"(2) Except as otherwise provided in subparagraph (c) below, all traffic violations for which six (6) or greater points are assessed against the driving license of a violator by the Department of Motor Vehicles for the State of Colorado shall constitute criminal traffic offenses. Additionally, the offenses listed in subparagraphs (a) and (b) below for which fewer than six (6) points are assessed against the driving license of a violator by the Department of Motor Vehicles for the State of Colorado shall constitute criminal traffic offenses. The following violations are criminal traffic offenses:

"(a) Violations of Model Traffic Code section 1101(1) or 1101(8)(b) involving driving twenty-five (25) miles or more in excess of the reasonable and prudent speed or in excess of the lawful speed limit.

"(b) Violations of Model Traffic Code section 607, 705, 1105, 1401, 1402, 1409, 1413 or 1903.

"(c) A violation of Model Traffic Code section 1101(1) involving driving twenty (20) to twenty-four (24) miles or more in excess of the reasonable and prudent speed or in excess of the lawful speed limit is a traffic infraction.

"(3) Traffic infractions as provided in this Code shall be subject to the following penalties:

<i>"Minimum Penalty</i>	<i>Maximum Penalty</i>
Fine of \$10.00	Fine of \$1,000.00

"Court costs as authorized by state law shall be added to the fine.

"(4) Criminal traffic offenses as provided in this Code shall be subject to the following penalties:

<i>"Minimum Sentence</i>	<i>Maximum Sentence</i>
1 day of imprisonment or a fine of \$10.00, or both	1 year of imprisonment or a fine of \$1,000.00, or both

"Court costs as authorized by state law shall be added to the fine."

(Ord. 6 §2, 2010; Ord. 2 §2, 2011)

Sec. 15-24. Application.

This Article shall apply to every street, alley, sidewalk area, driveway, park and every other public way 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 the revised 2010 Model Traffic Code adopted by this Article concerning careless driving, reckless driving, unauthorized devices, eluding a police officer and accident investigation shall apply not only to public places and ways but also throughout the City.
(Ord. 6 §2, 2010)

Sec. 15-25—15-30. Reserved.

ARTICLE III

Schedules

Sec. 15-31. Schedule A; Through streets.

In accordance with the provisions of Part 6 of the revised 2010 Model Traffic Code, and when official signs are erected giving notice thereof, drivers of vehicles shall stop or yield as required by such signs at every intersection before entering any of the following through streets or parts of streets:

<i>Name of street</i>	<i>Portion affected (terminal limits)</i>
Colorado Boulevard (S.H. 70 Bus. Loop, I-70 to Bus. Loop)	All portions
S.H. 103	From Colorado Boulevard to south City limit
S.H. 70 (I-70)	All portions
Miner Street	From Colorado Boulevard to 13th Avenue, and from 13th Avenue to 7th Avenue
Idaho Street	From 13th Avenue to 16th Avenue
8th Avenue	City limits to Colorado Boulevard

(Ord. 8 §1, 2006; Ord. 6 §3, 2010)

Sec. 15-32. Schedule B; Decreased speed limits.

In accordance with the provisions of Part 11 of the revised 2010 Model Traffic Code, and when official signs are erected giving notice thereof, the prima facie speed limit shall be as specified in this schedule for the following intersection or approaches thereto:

<i>Name of street</i>	<i>Portion affected (terminal limits)</i>	<i>Decreased speed limits</i>
Miner Street	From 13th Avenue to Miner Street Bridge	15 mph
Virginia Street	All portions	15 mph
Water Street	All portions	15 mph
Wall Street	All portions	15 mph
Center Alley	All portions	15 mph
All numbered avenues (except that section of 13th Avenue which is S.H. 103)	All portions	15 mph
Illinois Street	All portions	15 mph
All streets in Montane Park Addition	All portions	15 mph
Idaho Street	All portions	15 mph
Riverside Drive	All portions	15 mph

(Ord. 8 §1, 2006; Ord. 22 §2, 2007; Ord. 6 §3, 2010)

Sec. 15-33. Schedule C; Increased speed limits, established by State.

In accordance with the provisions of Part 11 of the revised 2010 Model Traffic Code, and when official signs are erected giving notice thereof, the prima facie speed limit shall be as established by the Colorado Department of Transportation upon the following streets and highways:

<i>Name of street</i>	<i>Portion affected (terminal limits)</i>
S.H. 70 (I-70)	All portions
Colorado Boulevard (S.H. 70 Bus. Loop, I-70 to Bus. Loop)	From west City limit to just east of Structure F-14-G (Clear Creek Bridge)
Colorado Boulevard (S.H. 70 Bus, Loop)	From Gilson Street eastward
S.H. 103	From approximately 370 feet south of Structure F-14-G (Clear Creek Bridge) to south City limit

(Ord. 8 §1, 2006; Ord. 6 §3, 2010)

Sec. 15-34. Schedule D; Minimum speed.

There are at the passage of this Article no streets having a minimum speed in accordance with Part 11 of the revised 2010 Model Traffic Code.

(Ord. 8 §1, 2006; Ord. 6 §3, 2010)

Sec. 15-35. Schedule E; One-way streets and alleys.

In accordance with the provisions of Parts 7 and 10 of the revised 2010 Model Traffic Code and when official signs are erected giving notice thereof, traffic shall move only in the direction indicated upon the following streets and alleys:

<i>Name of street</i>	<i>Portion affected (terminal limits) — Direction of traffic movement</i>
17th Avenue	From Colorado Blvd. to Water St. – South
16th Avenue	From Water St. to Colorado Blvd. – North
15th Avenue	From Colorado Blvd. to Water St. – South
14th Avenue	From Idaho St. to Colorado Blvd. – North
14th Avenue	From Idaho St. to Water St. – South
Wall Street	From 14th Ave. to 16th Ave. – East
Center Alley	From 14th Ave. to 16th Ave. – East
Virginia Street	From Canyon St. to 16th Ave. – West

(Ord. 8 §1, 2006; Ord. 12 §1, 2007; Ord. 6 §3, 2010)

Sec. 15-36. Schedule F; Nonmotorized traffic prohibited.

In accordance with Parts 8 and 14 of the revised 2010 Model Traffic Code, and when official signs are erected giving notice thereof, no pedestrian, bicyclist or other traffic of the type declared shall use any of the following streets or highways or parts thereof:

<i>Name of street</i>	<i>Portion affected (terminal limits)</i>
S.H. 70 (I-70)	All portions

(Ord. 8 §1, 2006; Ord. 6 §3, 2010)

Sec. 15-37. Schedule G; Bus stops.

In accordance with the provisions of the revised 2010 Model Traffic Code, portions of the following streets are designated as bus stops:

13th Street and Idaho Street (southwest corner).

(Ord. 8 §1, 2006; Ord. 6 §3, 2010)

Sec. 15-38. Schedule H; Stop/yield signs.

In accordance with the provision of Parts 6 and 7 of the revised 2010 Model Traffic Code, and when official signs are erected giving notice thereof, drivers of vehicles shall stop or yield as required by such signs at every intersection as set forth below:

<i>Street affected</i>	<i>Type of sign</i>	<i>Location of sign</i>
Soda Creek Road	Stop	Miner Street
20th Avenue	Stop	Miner Street
Virginia Street (both directions)	Yield	3rd Avenue
Virginia Street (westbound)	Yield	4th Avenue
Virginia Street (eastbound)	Yield	6th Avenue
22nd Avenue (northbound)	Yield	Virginia Street

(Ord. 8 §1, 2006; Ord. 6 §3, 2010)

Sec. 15-39—15-50. Reserved.

ARTICLE IV

Traffic Hazards and Vehicles

Sec. 15-51. Definitions.

As used in this Article, the following words, phrases and terms shall have the meaning ascribed to them in this Section.

Abandon. To leave a thing with the intention not to retain possession of or assert ownership over it. The intent need not coincide with the act of leaving.

Abandoned motor vehicle:

- (1) Any motor vehicle, the owner of which cannot be readily determined to live within a radius of four (4) City blocks, left unattended on public property, including any portion of a highway, street or public right-of-way within the limits of the City, for a period of twenty-four (24) hours or longer, unless the owner or driver thereof has conspicuously affixed thereto a dated notice indicating his or her intention to return or has otherwise notified the Police Department of his or her intention to remove the same within a reasonable time period;
- (2) Any motor vehicle from which the license plates or other identifying marks have been removed;
- (3) Any motor vehicle that has been damaged or is deteriorated so extensively that it has value only for junk or salvage;
- (4) Any motor vehicle that is not removed within three (3) days after the owner has been notified to remove the same by a law enforcement agency; or
- (5) Any motor vehicle stored in the City's designated impound lot at the request of its owner or the owner's agent or the Police Department and not removed from the City's designated impound lot according to the agreement

with the owner or agent or within seventy-two (72) hours of the time the Police Department notifies the owner or agent that the vehicle is available for release upon payment of any applicable charges or fees.

Adult. A person eighteen (18) years of age or older.

Commercial trailer. 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, which is generally and commonly used to carry and transport property over the public highways and which is registered under the State's ton-mile tax laws

Department. The Idaho Springs Police Department.

Disabled motor vehicle. Any motor vehicle which is stopped or parked, either attended or unattended, upon a public right-of-way and which is, due to any mechanical failure or any inoperability because of a collision, fire or any other such injury, temporarily inoperable under its own power.

Dump truck. A truck having a bed that tilts to dump its cargo or contents.

Impound lot. Any building, enclosure or place designated by the City, the Chief of Police or ordinance or resolution of the City Council for the storage of impounded motor vehicles by the City, including privately owned garages or other privately owned locations.

Minor. A person seventeen (17) years of age or less.

Motor vehicle. Any self-propelled vehicle which is capable of moving from place to place on wheels and which is designed to transport persons and property, or any vehicle classified as a motor vehicle under the laws of the State.

Oversized vehicle. Any car, truck van, recreational vehicle or other motorized vehicle which exceeds seven (7) feet in width or twenty-three (23) feet in length.

Private property. Any real property which is not public property.

Private tow. Any tow of an abandoned motor vehicle not requested by a law enforcement agency.

Public property. Any real property having its title, ownership, use or possession held by the federal government, the State or any county, municipality or other governmental entity of the State.

Public tow. Any tow of an abandoned motor vehicle requested by a law enforcement agency.

Recreational trailer or mobile home. Any wheeled vehicle which is a single self-contained unit, with or without motive power, and designed and generally and commonly used for occupancy by persons for residential purposes in either temporary or permanent locations, and which may be drawn over the public highways by a motor vehicle.

School ground. The whole or any part of any parcel of real property, including an easement or right-of-way thereon, located in the City and used for school purposes by any public school district.

Semitrailer. Any wheeled vehicle, without motive power, which is designed to be used in conjunction with a truck tractor, and generally and commonly used to carry and transport property over the public highways.

Tow operator. A person or a firm licensed by the Colorado Public Utilities Commission as a towing carrier.

Traffic hazard. Any tree, bush, shrub, other plant, sign, fence or other structure, except a house or building, or object that obstructs, hinders or impairs the ability of an operator of a motor vehicle to see another motor vehicle approaching him or her on the same street or any intersecting street, or to see a pedestrian at a crosswalk or children in the street in time for such operator to safely stop the motor vehicle he or she is operating without the danger of an ensuing collision.

Trailer. 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.

Truck tractor. Any motor vehicle which is generally and commonly designed and used to draw a semitrailer and its cargo load over the public highways.

(Ord. 8 §1, 2006)

Sec. 15-52. Traffic hazards; public and private property.

Traffic hazards are hereby declared a public nuisance and shall be abated as such, as provided in Chapter 16 of this Code.

(Ord. 8 §1, 2006)

Sec. 15-53. Operation of certain vehicles on school grounds prohibited.

(A) It is unlawful for any person to drive or operate a motor vehicle on any school ground in the City, except for the purpose of parking such vehicle in an authorized parking area or for the purpose of making authorized pick-ups and deliveries.

(B) It is unlawful for any parent or other adult to authorize any minor to drive or operate a motor vehicle on any school ground except for the purpose of parking such motor vehicle in an authorized parking area or for the purpose of making authorized pick-ups and deliveries.

(C) Nothing herein shall prohibit any emergency vehicle from entering onto any school ground when and where necessary.

(Ord. 8 §1, 2006)

Sec. 15-54. Operation of motorcycles and other vehicular devices.

(A) It is unlawful for any person to operate a motor vehicle in any of the following places without first obtaining the permission or authorization hereinafter required:

- (1) On any property owned by the City except public rights-of-way and parking lots, unless such operation is specifically permitted by written order of the City Administrator or his or her designated representative, or unless such property is specifically posted for such operation.
- (2) Upon or within any City park property or other recreational facility within the City, except in an area specifically posted for such use or when such operation is specifically permitted by written order of the City Administrator or his or her designated representative.
- (3) On any school grounds, except as provided in Section 15-53 above or specifically permitted by written order of the District Superintendent of Schools or his or her designated representative.
- (4) On any private property within the City except private parking lots open to the public, unless by specific written order of the owner or designated representative of the owner of such property to the individual operating the vehicle.

(B) All written orders specified in this Section must be in the possession of the person operating a motor vehicle in prohibited areas during the time of such operation.

(Ord. 8 §1, 2006)

Sec. 15-55. Abandoned vehicles.

(A) No person shall abandon any motor vehicle upon public property, or upon private property other than his or her own, without the consent of the owner thereof.

(B) Any motor vehicle left on private property for seventy-two (72) hours or more without the property owner's consent shall be presumed to be abandoned. In the event a motor vehicle is abandoned on private property, the owner or lessee of such property or his or her legally authorized agent may have it removed from his or her property by having it towed and impounded by a tow operator.

(C) Any motor vehicle that meets the definition of *abandoned motor vehicle* in section 15-51 above shall be presumed to be abandoned and may be subject to removal and impoundment as provided in this Article.

(D) A violation of this Section shall be a criminal offense punishable by a fine not to exceed one thousand dollars (\$1,000.00), imprisonment for a period not to exceed one (1) year, or both.
(Ord. 8 §1, 2006; Ord. 8 §1, 2007)

Sec. 15-56. Parking of certain vehicles limited.

(A) It is unlawful for any person to park or stand a commercial trailer, semitrailer or trailer or to permit the same to be parked on any street, alley or other public property, whether attached to a motor vehicle or not, except when said trailer is being expeditiously used to render services such as, but not limited to, deliveries, pickups or construction activities, to property located within two hundred (200) feet of where said trailer is parked.

(B) It is unlawful for any person to park or stand a dump truck, truck exceeding seven thousand (7,000) pounds empty weight, commercial trailer, semitrailer or truck tractor, or to permit the same to be parked anywhere within the City in any residential zone district, except when said vehicle is being expeditiously used to render services such as, but not limited to, deliveries, pickups or construction activities, to property located within two hundred (200) feet of where said vehicle is parked.

(C) It is unlawful to park or stand an oversized vehicle upon any street, alley or other public property except when said vehicle is parked for the purposes of loading or unloading and so long as it is not so parked for periods in excess of seventy-two (72) hours.

(D) It is unlawful to park or permit to stand any recreational trailer or mobile home upon any street, alley or other public property in the City for more than seventy-two (72) hours.
(Ord. 8 §1, 2006)

Sec. 15-57. Removal and impoundment.

(A) Any officer of the Department who finds a vehicle standing upon any portion of public property, or private property without the property owner's permission, in violation of any of the provisions of this Article, and who has reasonable grounds to believe the vehicle has been abandoned, shall require such motor vehicle to be removed or cause the same to be removed and placed in the City's designated impound lot.

(B) Whenever any officer of the Department finds a motor vehicle, attended or unattended, standing upon any portion of a street, highway or right-of-way in such a manner as to constitute an obstruction to traffic or proper highway maintenance, such officer is authorized to cause the motor vehicle to be moved to eliminate any such obstruction.

(C) Neither the officer of the Department nor anyone acting under his or her direction shall be liable for any damage to such motor vehicle occasioned by such removal.
(Ord. 8 §1, 2006)

Sec. 15-58. Exemptions.

(A) Nothing in this Article shall be construed to include or apply to the driver of any disabled motor vehicle who temporarily leaves such vehicle on the paved or improved and main-traveled portion of a roadway, subject, when applicable, to the emergency lighting requirements set forth in Section 42-4-227, C.R.S., as amended.

(B) Nothing in this Article shall be construed to include or apply to authorized emergency motor vehicles while such vehicles are actually and directly engaged in, coming from or going to an emergency.

(C) Nothing in this Article shall be construed to include or apply to abandoned vehicles kept as evidence for either criminal or civil cases by any law enforcement agency.
(Ord. 8 §1, 2006)

Sec. 15-59—15-70. Reserved.