

# Town of Silverton

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## TOWN OF SILVERTON, COLORADO

ORDINANCE NO. 2010 \_\_02\_\_

AN EMERGENCY ORDINANCE OF THE TOWN OF SILVERTON, COLORADO, AMENDING SECTIONS 6-8-17 AND 6-9-5 OF THE SILVERTON TOWN CODE AND ESTABLISHING SECTION 6-9-8 FOR THE PURPOSE OF ADJUSTING MUNICIPAL FINE AMOUNTS ASSESSED FOR UNLAWFUL PARKING IN SNOW ROUTES AND AFFIRMING TOWN AUTHORITY TO TOW VEHICLES SO PARKED AND TO COLLECT ALL ASSOCIATED COSTS THEREOF

WHEREAS, the Board of Trustees of the Town of Silverton, Colorado has determined that the establishment of snow routes on all streets and alleys within the Town boundaries shall serve to advance the public interest while providing for the most fiscally responsible and efficient means of snow removal from the public right of way; and

WHEREAS, the Board of Trustees, through Resolution 2008-19, established such snow routes while establishing an advanced alert system to advise residents and visitors as to the nature of such snow routes; and

WHEREAS, the Board of Trustees finds that the full enforcement of snow routes and associated penalties for violations thereof will allow for the timely plowing of the public streets, alleys, and other right-of-ways; and

WHEREAS, the Board of Trustees finds that the penalties established by Ordinance 2009-02 are overly onerous relative to the demonstrated deterrent effect they provide; and

WHEREAS, pursuant to Silverton Town Code Section 2-16-5, this ordinance has been adopted on an emergency basis as necessary for the preservation of the public peace, health, and safety;

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SILVERTON THAT:

A. Section 6-8-17 of the Town Code pertaining to general Parking Violations and Fines Levied is amended so as to strike the language pertaining to vehicles parked "in a way of snow removal."

B. Section 6-9-5 of the Town Code shall be struck in its entirety and readopted as follows:

6-9-5 Mandatory Compliance with Established Snow Routes and Removal of Parked Vehicles: It shall be unlawful within the corporate limits of the Town of Silverton for any person to park in violation of an established snow route, or to park in any manner that obstructs the removal of snow from the public streets and alleys. Any vehicle determined to be in violation of this section may be ticketed and/or towed from that location by the Town or any authority properly acting as agent of the Town. All costs relating to the removal and storage of offending vehicle will be assessed to the owner of such vehicles. Said costs shall not be construed to be in lieu of any fines levied via penalty assessment or by the municipal court under Section 6-9-8 of this Chapter.

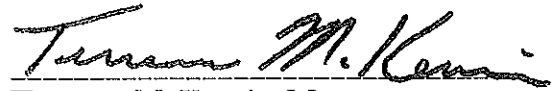
C. Section 6-9-8 of the Town Code is established to read as follows:

6-9-8 Penalty Assessment: The owner of any vehicle in violation of Section 6-9-6 of this Chapter may be ticketed and assessed a fine in the amount of \$25.00, payable to the Town of Silverton within 20 days of the date of issuance of the citation. If the payment is not received within 20 days of the date of citation, the matter shall automatically be referred to the Silverton Municipal Court and a summons shall be issued requiring the violator to appear before the municipal judge at the time and date indicated on the citation. The maximum fine punishable by the Municipal Court shall be \$25.00, together with any associated court costs.

D. This ordinance shall be in full force and effect five days following its publication in the newspaper of record, at which time the penalty provisions adopted in Sections 6-9-5 and 6-9-8 shall be applied retroactively to January 20, 2010.

Passed and adopted this 25<sup>th</sup> day of January, 2010.

  
Brian Carlson, Clerk-Treasurer

  
Terrence M. Kerwin, Mayor