

TOWN OF TIMNATH

ORDINANCE NO. 35, SERIES 2008

AN ORDINANCE AMENDING THE TIMNATH MUNICIPAL CODE SUBSECTION 8.1.2 C CONCERNING MODEL TRAFFIC CODE SECTION 508: GROSS WEIGHT OF VEHICLES AND LOADS

WHEREAS, The Town Council of the Town of Timnath is authorized to adopt and enforce ordinances for the protection of the public health, safety and welfare; and

WHEREAS, acting under this authority, the Council has previously adopted the Model Traffic Code for Colorado Municipalities, 2003 edition, in Article I of Chapter 8 of the Timnath Municipal Code (the "Code"); and

WHEREAS, Section 508 of the Model Traffic Code addresses vehicle weight limits; and

WHEREAS, in order to provide for uniform and effective enforcement of vehicle weight limits throughout the Town, the Council wishes to amend Section 508.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF TIMNATH ORDAINS:

Section 1. Chapter 8, Article I, Subsection 8.1.2 C of the Code is amended to read:

Section 508 of the Model Traffic Code is hereby amended to read in full:

508. Gross weight of vehicles and loads. (1) When official signs are erected giving notice thereof, no person shall operate any vehicle with a weight limit in excess of 7.5 tons on any public street within the Town.

(2) The provisions of this article governing size, weight, and load shall not apply to: fire apparatus, authorized emergency vehicles, public transportation vehicles operated by municipalities or other political subdivisions of the State, County road maintenance and County road construction equipment temporarily moved upon the highway.

(3) Vehicles owned or operated by a resident of the Town of Timnath or a vehicle picking up or delivering goods or being repaired or having other similar specific business within the Town's growth management area, as shown on maps on file in the office of the Town Clerk, shall be exempt from the requirements of this section.

(4) Drivers of vehicles over 7.5 tons must produce evidence of vehicle

Please Return to: ✓
Town of Timnath
4800 Goodman Street
Timnath, CO 80547

RECEPTION#: 20080070322, 11/12/2008 at
11:05:50 AM,
1 OF 2, R \$11.00 TD Pgs: 0
Scott Doyle, Larimer County, CO

ownership, residence in Timnath, or delivery or pick-up documentation, as appropriate, upon request of any law enforcement officer.


(5) Any law enforcement officer having reason to believe that the weight of a vehicle may be unlawful, is authorized to require the driver to stop and submit to a weighing of the same, either by means of portable or stationary scales and may require that such vehicles be driven to the nearest public scales in the event such scales are within ten (10) miles.

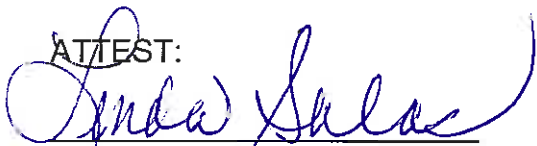
Section 2. Repeal. All other ordinances or portions thereof inconsistent or conflicting with this Ordinance or any portions thereof are hereby repealed to the extent of such inconsistency or conflict.

Section 3. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one or more be declared unconstitutional or invalid.

Section 4. Safety. This Ordinance is deemed necessary for the preservation of the public peace, health or safety of the community.

INTRODUCED, READ, PASSED AND ADOPTED BY A VOTE OF THE TOWN COUNCIL OF THE TOWN OF TIMNATH AN ORDINANCE AND ORDERED PUBLISHED I THIS 20th DAY OF August, 2008. THIS ORDINANCE SHALL TAKE EFFECT UPON PASSAGE PURSUANT TO SECTION 3.6 OF THE TOWN CHARTER.


Donna Benson, Mayor

ATTEST:

Linda Salas, Town Clerk