

TOWN OF TIMNATH, COLORADO

ORDINANCE NO. 116, SERIES 2011

AN ORDINANCE AMENDING CHAPTER 8, VEHICLES AND TRAFFIC, ARTICLE 1, TRAFFIC CODE, SECTIONS 1A, 5 AND 6 OF THE TOWN OF TIMNATH MUNICIPAL CODE CONCERNING THE ADOPTION OF THE MODEL TRAFFIC CODE FOR COLORADO AND CLARIFYING THE PENALTY PROVISIONS

WHEREAS, the Town Council of the Town of Timnath ("Town") pursuant to C.R.S. § 31-15-103 has the power to make and publish Ordinances; and

WHEREAS, pursuant to that power, the Town Council has previously enacted Chapter 8 of the Timnath Municipal Code ("Code"); and

WHEREAS, in order to ensure Chapter 8, Article 1, Sections 1A, 5 and 6 reflects the desires of the Town and includes provisions which are fair to all in enforcement and applicability, the Town Council desires to amend certain provisions of that Chapter.

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

Section 1. Amendments

Chapter 8, Article 1 is amended to read as follows:

8.1.1: Adoption

A. Pursuant to Timnath Home Rule Charter Section 3.7, there is hereby adopted by reference thereto the most recent2003 edition of the "Model Traffic Code for Colorado," promulgated and published as such by the State Department of Transportation, 4201 E. Arkansas Ave., Denver, Colorado 80222; and hereby adopted by reference Number 49, Code of Federal Regulations 102.1, Transportation, Parts 100 to 199, inclusive, revised to December 13, 1976; and hereby adopted by reference Number 49, Code of Federal Regulations Federal Motor Carrier Safety Regulations, revised to October 1, 1976, as promulgated and published as such by the U.S. Department of Transportation, Federal Highway Administration.

8.1.5: Copy on File

At least one (1) copy of the most recent edition of the Model Traffic Code for Colorado, ~~2003 Edition and the amendments thereto~~, has been and is now on file in the office of the Town Clerk and may be inspected by any interested person during regular business hours.

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

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8.1.6: Penalty

Violations of the Model Traffic Code shall be subject to the penalties ~~specified in Section 17~~ set by the Municipal Court of Timnath pursuant to Colorado Municipal Court Rule 210(b)(5) ~~of the Model Traffic Code~~ and Chapter 1 of this Code. The penalties and surcharges set forth in the most recent edition of the Model Traffic Code of Colorado are expressly not adopted or applicable.

Section 2. 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 Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one or parts be declared unconstitutional or invalid.


Section 3. Effective Date

This Ordinance shall take effect upon adoption at second reading, as provided by Section 3.5.5 of the Charter. 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, MOVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH ON FIRST READING, ON SEPTEMBER 20, 2011, AND SET FOR PUBLIC HEARING AND SECOND READING AT 7:00 P.M. ON OCTOBER 4, 2011, AT THE TIMNATH ADMINISTRATION BUILDING, 4800 GOODMAN STREET, TIMNATH COLORADO AND ORDERED PUBLISHED BY TITLE THIS 20TH DAY OF SEPTEMBER, 2011.


MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON OCTOBER 4, 2011.

TOWN OF TIMNATH, COLORADO



Jill Grossman-Belisle, Mayor

ATTEST:



Milissa Peters, Town Clerk

