

**TOWN OF TIMNATH, COLORADO
ORDINANCE NO. 10, SERIES 2014**

**AN ORDINANCE AMENDING CHAPTER 8,
ARTICLE I, SECTION 8.1.2(C) OF THE TIMNATH MUNICIPAL CODE**

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

WHEREAS, acting under this authority, the Council has previously adopted the Model Traffic Code for Colorado Municipalities, 2003 edition (the "Model Traffic Code"), 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 COUNCIL OF THE TOWN OF TIMNATH, COLORADO, ORDAINS:

Section 1. The above and foregoing recitals are incorporated herein by reference and adopted as findings and determinations of the Council.

Section 2. Chapter 8, Article I, Section 8.1.2(C) of the Code is hereby amended by the following:

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 Section governing size, weight, and load shall not apply to: fire apparatus, vehicles exempted under the Colorado Right to Farm Act, authorized emergency vehicles, public transportation vehicles operated by municipalities or other political subdivisions of the State, and road maintenance and 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 equipment, 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.

RECEPTION#: 20140030493, 06/11/2014 at
11:17:21 AM, 1 OF 2, R \$16.00 TD Pgs: 0
Angela Myers, Clerk & Recorder, Larimer
County, CO



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

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(4) Vehicles traveling exclusively on Harmony Road (County Road 38) and vehicles traveling on Main Street (County Road 5) south of Harmony Road (County Road 38) shall be exempt from the requirements of this Section.

(5) Drivers of vehicles over 7.5 tons must produce evidence of vehicle ownership, residence in Timnath, or delivery or pick-up documentation, as appropriate, upon request of any law enforcement officer.

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


Section 4. Repealer. All ordinances or resolutions, or parts thereof, in conflict with this Ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

Section 5. Effective Date. This Ordinance shall take effect upon adoption at second reading, as provided by Section 3.5.5 of the Charter.

INTRODUCED, MOVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH ON FIRST READING, SET FOR PUBLIC HEARING AND SECOND READING AT 6:00 P.M. ON JUNE 10th, 2014 AT THE TIMNATH TOWN ADMINISTRATIVE BUILDING, 4800 GOODMAN STREET, TIMNATH, COLORADO AND ORDERED PUBLISHED BY TITLE THIS 10th DAY OF JUNE, 2014.


MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON JUNE 10, 2014.

TOWN OF TIMNATH, COLORADO



Jill Grossman-Belisle, Mayor

ATTEST:



Milissa Peters, Town Clerk

