TOWN OF TIMNATH, COLORADO

COUNCIL BILL NO. 1            ORDINANCE NO. 1

AN ORDINANCE PROHIBITING TRUCKS AND
COMMERCIAL VEHICLES WITH A WEIGHT
GREATER THAN 7.5 TONS WITHIN THE TOWN
LIMITS

WHEREAS, pursuant to C.R.S. § 42-4-106(3) the Town Council ("Council") of the
Town of Timnath ("Town") is empowered to impose limitations as to the weight of trucks or
commercial vehicles on designated highways and designate such restricts by the use of
appropriate signage; and

WHEREAS, pursuant to C.R.S. § 31-15-702, the Council is empowered to regulate
streets and alleys; and

WHEREAS, pursuant to this power, the Council has previously enacted Chapter 8,
Article I of the Timnath Municipal Code ("Code"), concerning vehicles and traffic; and

WHEREAS, Sections 8.1 and 8.2 of the Code provide for the adoption of the 2003
edition of the Model Traffic Code ("MTC") and the modification of the same; and

WHEREAS, the Council has determined that it is not in the best interest of the Town
and potentially damaging to Town roadways to have trucks and commercial vehicles with a
weight greater than 7.5 tons on Town roadways; and

WHEREAS, the Council desires to amend Chapter 8, Article I, Section 8.2 of the Code
by deleting an existing section and amending an existing section to reflect such a prohibition.

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 8.2 of the Code is hereby amended by the
addition of a new subsection to read:

Section 507 of the Model Traffic Code is hereby deleted in its entirety.

Section 3. Chapter 8, Article I, Section 8.2 of the Code is hereby further amended by
the addition of a new subsection 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.

RECEPTION#: 20080037136, 06/10/2008 at
12:10:35 PM.
1 OF 2, R $11.00 TD Pgs: 0
Scott Doyle. Larimer County. CO

Town of Timnath
Town Clerk
4800 Goodman Street
Timnath, CO 80547
(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, farm
tractors, and implements of husbandry/agricultural equipment except that trucks and
trailers used for transporting livestock and/or other agricultural projects must meet all
size, weight, and load restrictions imposed by law unless exempt pursuant to this
Section.

(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 an area bounded by Harmony Road/County Road 38 on the South,
Interstate 25 on the West, Propsect Road/County Road 44 on the North, and Weld
County Line Road on the East, shall be exempt from the requirements of this Section.

(4) 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 4. 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 5. 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 6. 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 7:00 P.M. ON FEBRUARY 7, 2007 AT THE TIMNATH TOWN HALL, 4100 MAIN
STREET, TIMNATH COLORADO AND PUBLISHED BY TITLE THIS 14TH DAY OF

MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING

TOWN OF TIMNATH, COLORADO

ATTEST:
Linda Griess, Acting Town Clerk

TOWN OF TIMNATH

Donna Benson, Mayor