

ORDINANCE NO. 540

AN ORDINANCE FOR THE REGULATION OF TRAFFIC BY THE TOWN OF HOLLY, COLORADO; ADOPTING BY REFERENCE THE 2020 EDITION OF THE "MODEL TRAFFIC CODE" REPEALING ORDINANCES IN CONFLICT THEREWITH (MOST SPECIFICALLY ORDINANCE NO. 463); AND PROVIDING PENALTIES FOR VIOLATION THEREOF

WHEREAS, the Town has previously adopted a previous (and now outdated) version of the Model Traffic Code;

WHEREAS, the Town desires to adopt the latest version of the Model Traffic Code (2020);

WHEREAS, the purpose of this Ordinance and the Code adopted herein is to provide a system of traffic regulations consistent with state law and generally conforming to similar regulations throughout the state and the nation.

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

SECTION 1. Repeal of Ordinance Number 463. Ordinance Number 463 and any amendments thereto, covering the same matters as embraced in this Ordinance, are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this Ordinance.

SECTION 2. Adoption. Pursuant to Parts 1 and 2 of Article 16 of Title 31 and Part 4 of Article 15 of Title 30, C.R.S., there is hereby adopted by reference the 2020 edition of the "Model Traffic Code" promulgated and published as such by the Colorado Department of Transportation, Traffic Engineering and Safety Branch, 2829 West Howard Place, Denver, CO 80204. The subject matter of the Model Traffic Code relates primarily to comprehensive traffic control regulations for the Town.

SECTION 3. Deletions. The 2020 edition of the Model Traffic Code is adopted as if set out at length save and except the following articles and/or sections which are declared to be inapplicable to this municipality and are therefore expressly deleted: NONE.

SECTION 4. Additions or Modifications. The said adopted Code is subject to the following additions or modifications: NONE.

SECTION 5. Penalties. The following penalties, herewith set forth in full, shall apply to this Ordinance:

- a) It is unlawful for any person to violate any of the provisions adopted in this Ordinance.
- b) In addition to Section 4. Penalties. (b) every person convicted of a violation of any provision adopted in this Ordinance shall be punished by a fine not exceeding three hundred dollars (\$300.00), or by imprisonment not exceeding 60 days, or by both such fine and imprisonment.

SECTION 6. Application. This Ordinance shall apply to every street, alley, sidewalk area, driveway, park, and to every other public way or public place or public parking area, either within or outside the corporate limits of this municipality or county, the use of which this municipality has jurisdiction and authority to regulate. The provisions of Sections 1401, 1402, 1413, and Part 16 of the adopted Model Traffic Code, respectively concerning reckless driving, careless driving, eluding a police officer, and accidents and accident reports shall apply not only to public places and ways but also throughout this municipality.

SECTION 7. Validity. If any part of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 8. Interpretation. This Ordinance shall be so interpreted and construed as to effectuate its general purpose to conform with the State's uniform system for the regulation of vehicles and traffic. Article and section headings of the Ordinance and adopted Model Traffic Code shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or extent of the provisions of any article or section thereof.

SECTION 9. Certification. The Town Clerk shall certify to the passage of this Ordinance and make not less than three copies of the adopted Code available for inspection by the public during regular business hours.

SECTION 10. This Ordinance shall become effective 30 days after publication thereof.

INTRODUCED this 1st day of September, 2021.

ADOPTED AND ORDERED PUBLISHED BY THE BOARD OF TRUSTEES AFTER A PUBLIC HEARING AND SIGNED THIS 6th DAY OF OCTOBER, 2021.

/s/ Calvin J. Melcher, Mayor

ATTEST:

/s/ Megan Jara, Clerk/Treasurer