

ORDINANCE NO. 1-2000

AN ORDINANCE FOR THE REGULATION OF TRAFFIC
IN THE UNINCORPORATED AREAS OF MONTEZUMA
COUNTY, COLORADO; ADOPTING BY REFERENCE
THE 1995 EDITION OF THE "MODEL TRAFFIC CODE
FOR COLORADO MUNICIPALITIES"; AND PROVIDING
PENALTIES FOR VIOLATION THEREOF.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
MONTEZUMA COUNTY, COLORADO, AS FOLLOWS:

Section 1. Adoption. Pursuant to 30-15-401(1)(b) and 402, and 42-4-110 and 111, C.R.S., as amended, there is hereby adopted by reference Articles I and II, inclusive, of the 1995 edition of the "Model Traffic Code for Colorado Municipalities," promulgated and published as such by the Colorado Department of Transportation, Staff Traffic and Safety Projects Branch, 4201 East Arkansas Avenue, Denver, Colorado 80222, save and except as set forth below. The subject matter of the Model Traffic Code relates primarily to comprehensive traffic control regulations for the County. The purpose of this Ordinance and the Code adopted herein is to provide a system of traffic regulations in the unincorporated areas of Montezuma County consistent with state law and generally conforming to similar regulations throughout the state and the nation. Three (3) copies of the Model Traffic Code adopted herein are now filed in the office of the Montezuma County Clerk and Recorder and may be inspected during regular business hours.

Section 2. Deletions. The 1995 edition of the Model Traffic Code is adopted as if set out at length herein, save and except the following which are declared to be inapplicable to this county and are therefore expressly deleted: Section 1401(2)

Section 3. Additions or Modifications. The said adopted Code is subject to the following additions or modifications:

- (a) Any reference in the Code to "municipality" shall mean Montezuma County.
- (b) Any reference in the Code to "City Council" shall mean the Board of County Commissioners of Montezuma County.
- (c) Any reference in the Code to "municipal court" shall mean the Montezuma County Court, and any reference to "municipal judge" shall mean Montezuma County Judge. The Montezuma County Court shall have jurisdiction over violations hereof.
- (d) The Montezuma County Sheriff and other authorized law enforcement officers shall enforce and the District Attorney shall prosecute violations of this Ordinance.

Section 4. Penalties.

- (a) It is unlawful for any person to violate any of the provisions adopted in this Ordinance.
- (b) Every person convicted of a violation of any provision adopted in this Ordinance is guilty of a traffic infraction and shall be punished by a fine of not less than Fifteen Dollars (\$15.00) and not exceeding One Thousand Dollars (\$1,000.00), plus a Ten Dollars (\$10.00) surcharge. The penalty assessment procedure provided in 16-2-201, C.R.S., as amended, may be followed by any arresting law enforcement officer for any such violation based upon a graduated fine schedule marked Exhibit A attached hereto and made a part hereof. Montezuma County elects to have the provisions of 42-2-127(5.5), C.R.S., as amended, apply to penalty assessment notices issued pursuant to this Ordinance. The provisions of 42-4-1701 and 42-4-1703, and 42-4-1708 to 42-4-1718, C.R.S., as amended, shall apply, except that all fines and penalties collected by the Court shall be paid to the Montezuma County Treasurer for deposit into the Montezuma County general fund, and all surcharges collected by the Court shall be transmitted to the Court Administrator pursuant to 30-15-402(2), C.R.S., as amended, for the purposes set forth therein. Said payments shall be made not less than once each month.

Section 5. Application. This Ordinance shall apply to every highway, road, street, alley, sidewalk area, driveway, park, and to every other public way or public place or public parking area within Montezuma County, the use of which this County 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 to private property.

Section 6. Validity. If any part or parts of this Ordinance are for any reason held to be invalid such decision shall not affect the validity of the remaining portions of this Ordinance. Said Board hereby declares that it would have passed this Ordinance and each part or parts thereof, irrespective of the fact that any one part or parts be declared invalid.

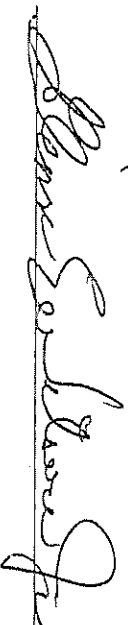
Section 7. Interpretation. This Ordinance shall be so interpreted and construed as to effectuate its general purpose to conform with the State's uniform system for the regulation of vehicles and traffic. Article and section headings of the Ordinance and adopted Model Traffic Code shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or extent of the provisions of any article or section thereof.

Section 8. Certification. The Montezuma County Clerk and Recorder shall certify to the adoption of this Ordinance and make not less than three copies of the adopted Code available for inspection by the public during regular business hours.

NOW THEREFORE BE IT ORDAINED that this Ordinance is hereby adopted.

Adopted this 15th day of May, 2000, at 10:15 o'clock a. m.

Board of County Commissioners
of Montezuma County, Colorado



Commissioners voting aye in favor of this Ordinance were:



and



Commissioners voting no against this Ordinance were:

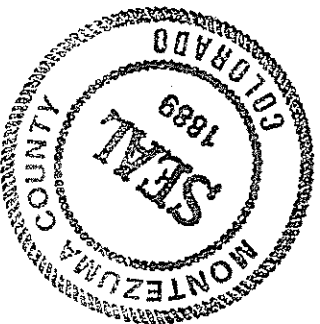
and

Nelda Perkins, Deputy
County Clerk and Recorder
Montezuma County, Colorado

I certify that the above and foregoing Ordinance is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners for Montezuma County, Colorado, and the votes upon same are true and correct.

Dated this 15th day of May, 2000.

Nelda Perkins, Deputy
County Clerk and Recorder
Montezuma County, Colorado



(A) TRAFFIC REGULATION GENERALLY:

| | |
|------|---------|
| 1412 | \$15.00 |
| 109 | 15.00 |
| 1211 | 15.00 |
| 1405 | 15.00 |

(B) EQUIPMENT VIOLATIONS:

| | |
|---------------------------------|---------|
| -201 | \$35.00 |
| -202 | 35.00 |
| -204 | 15.00 |
| -205 | 15.00 |
| -206 | 15.00 |
| -207 | 15.00 |
| -208 | 15.00 |
| -209 | 15.00 |
| -210 | 15.00 |
| -211 | 15.00 |
| -212 | 15.00 |
| -213 | 15.00 |
| -214 | 15.00 |
| -215 | 15.00 |
| -216 | 15.00 |
| -217 | 15.00 |
| -218 | 15.00 |
| -219 | 15.00 |
| -220 | 15.00 |
| -221 | 15.00 |
| -222 | 15.00 |
| -223 | 15.00 |
| -224 | 15.00 |
| -225 | 15.00 |
| -226 | 15.00 |
| -227 (1) | 50.00 |
| -227 (2) | 15.00 |
| -228 (1), (2), (3), (5), or (6) | 15.00 |
| -229 | 15.00 |
| -230 | 15.00 |
| -231 | 15.00 |
| -232 | 15.00 |
| -233 | 75.00 |
| -234 | 15.00 |
| -235 | 50.00 |
| -236 | 50.00 |
| -237 | 15.00 |
| -1411 | 15.00 |
| -1412 | 15.00 |
| -1901 | 35.00 |

Exhibit A

(C) SIZE, WEIGHT, AND LOAD VIOLATIONS:

| | |
|------|---------|
| -502 | \$75.00 |
| -503 | 15.00 |
| -504 | 75.00 |
| -505 | 75.00 |
| -506 | 15.00 |
| -509 | 50.00 |
| -510 | 35.00 |

(D) SIGNALS, SIGNS, AND MARKINGS VIOLATIONS:

| | |
|------|---------|
| -603 | \$35.00 |
| -604 | 35.00 |
| -605 | 35.00 |
| -606 | 15.00 |
| -607 | 50.00 |
| -608 | 15.00 |
| -609 | 15.00 |
| -610 | 15.00 |
| -612 | 35.00 |
| -613 | 35.00 |

(E) RIGHTS-OF-WAY VIOLATIONS:

| | |
|------|---------|
| -701 | \$35.00 |
| -702 | 35.00 |
| -703 | 35.00 |
| -704 | 35.00 |
| -705 | 50.00 |
| -706 | 35.00 |
| -707 | 35.00 |
| -708 | 35.00 |
| -709 | 35.00 |
| -710 | 35.00 |
| -711 | 35.00 |
| -712 | 35.00 |

(F) PEDESTRIAN VIOLATIONS:

| | |
|------|---------|
| -801 | \$15.00 |
| -802 | 15.00 |
| -803 | 15.00 |
| -805 | 15.00 |
| -806 | 35.00 |
| -807 | 35.00 |
| -808 | 35.00 |

(G) TURNING AND STOPPING VIOLATIONS:

| | |
|------|---------|
| -901 | \$35.00 |
| -902 | 35.00 |
| -903 | 35.00 |

(H) DRIVING, OVERTAKING, AND PASSING VIOLATIONS:

| | |
|-------|---------|
| -1001 | \$35.00 |
| -1002 | 35.00 |
| -1003 | 35.00 |
| -1004 | 35.00 |
| -1005 | 35.00 |
| -1006 | 35.00 |
| -1007 | 35.00 |
| -1008 | 35.00 |
| -1009 | 35.00 |
| -1010 | 35.00 |
| -1011 | 100.00 |
| -1012 | 65.00 |

-1001 (1) or (8)(b) (1 to 4 miles per hour over the reasonable and prudent speed or over the maximum lawful speed limit of 75 miles per hour)

15.00

-1101 (1) or (8)(b) (5 to 9 miles per hour over the reasonable and prudent speed or over the maximum lawful speed limit of 75 miles per hour)

35.00

-1101 (1) or (8)(b) (10 to 19 miles per hour over the reasonable and prudent speed or over the maximum lawful speed limit of 75 miles per hour)

50.00

-1101 (1) or (8)(b) (20 to 24 miles per hour over the reasonable and prudent speed or over the maximum lawful speed limit of 75 miles per hour)

100.00

| | |
|-----------|-------|
| -1101 (3) | 35.00 |
| -1103 | 15.00 |
| -1104 | 15.00 |

(I) PARKING VIOLATIONS:

| | |
|-------|---------|
| -1201 | \$15.00 |
| -1202 | 15.00 |
| -1204 | 15.00 |
| -1205 | 15.00 |
| -1206 | 15.00 |
| -1207 | 15.00 |

(J) OTHER OFFENSES:

| | |
|----------------|---------|
| -1301 (2)(A.5) | \$50.00 |
| -1402 | 50.00 |
| -1403 | 15.00 |
| -1404 | 15.00 |
| -1406 | 35.00 |
| -1407 | 35.00 |
| -314 | 35.00 |
| -1408 | 15.00 |
| -1409 | 50.00 |
| -1413 | 100.00 |
| -1414 | 50.00 |

(K) MOTORCYCLE VIOLATIONS:

| | |
|-------|---------|
| -1502 | \$15.00 |
| -1503 | 15.00 |
| -1504 | 15.00 |

(L) OFFENSES BY PERSONS CONTROLLING VEHICLES:

| | |
|-------|---------|
| -1704 | \$15.00 |
|-------|---------|