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ORDINANCE NO. 1-2003

AN ORDINANCE FOR THE REGULATION OF TRAFFIC  
IN THE UNINCORPORATED AREAS OF MONTEZUMA  
COUNTY, COLORADO; ADOPTING BY REFERENCE  
THE 2003 EDITION OF THE "MODEL TRAFFIC CODE  
FOR COLORADO"; 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)(h) 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 2003 edition of the "Model Traffic Code for Colorado", promulgated and published by the Colorado Department of Transportation, Safety and Traffic Engineering Branch, 4201 East Arkansas Avenue, EP 700, Denver, Colorado 80222, save and except as set forth below. The subject matter of the Model Traffic Code For Colorado 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 2003 edition of said Model Traffic Code For Colorado is adopted as if set out at length herein, save and except the following which are expressly deleted: Sections 1402(2) and 1702(4)

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

- (a) Any reference in said Code to "municipality" or "this jurisdiction" or "this local government" or "local government authority" shall mean Montezuma County.
- (b) Any reference in said Code to "City or Town Council or Board of County Commissioners" shall mean the Board of County Commissioners of Montezuma County.
- (c) Any reference in said Code to "appropriate local court" shall mean the Montezuma County Court and 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) Pursuant to 30-15-402, C.R.S., as amended, every person convicted of a violation of any provision adopted in this Ordinance shall be punished by a fine not exceeding One Thousand Dollars (\$1,000.00) plus a Ten Dollars (\$10.00) surcharge for each separate violation. 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 and 1413 of the adopted Model Traffic Code, respectively concerning reckless driving, careless driving, and eluding a police officer, 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. Repeal.** Ordinance No. 1-2000 is 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 Ordinance No. 1-2000 prior to the taking effect of this Ordinance.

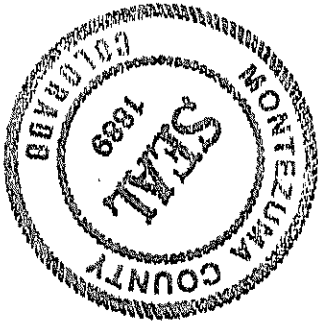
**Section 8. Interpretation.** This Ordinance shall be so interpreted and construed as to effectuate its general purpose to conform with the State's uniform system for the regulation of vehicles and traffic. Article and section headings of the Ordinance and adopted Model Traffic Code shall not be deemed 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 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 24<sup>th</sup> day of November, 2003, at 11:20 o'clock A.m.

Board of County Commissioners  
of Montezuma County, Colorado



[Signature]

[Signature]

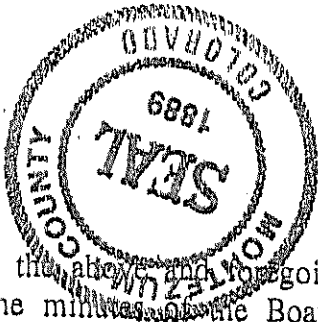
H. Dewayne Findley

Commissioners voting aye in favor of this Ordinance were:

Allen E. Wilson, Jr. J. Kent Lindsay and Dewayne Findley

Commissioners voting no against this Ordinance were:

\_\_\_\_\_ and \_\_\_\_\_



Nelda Jenkins, 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 24<sup>th</sup> day of November, 2003.

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

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(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

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(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

ADP  
TKP

-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:

<del>1402</del>	<del>50.00</del>
-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

1106  
1407

(K) MOTORCYCLE VIOLATIONS:

-1502	\$15.00
-1503	15.00
-1504	15.00

(L) OFFENSES BY PERSONS CONTROLLING VEHICLES:

-1704	\$15.00
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