

CHAPTER 8

Vehicles and Traffic

Article I

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ARTICLE I

Model Traffic Code

Sec. 8-1. Adoption.

There is hereby adopted by reference the 1995 edition of the *Model Traffic Code for Colorado Municipalities*, promulgated and published as such by the State Department of Transportation, 4201 East Arkansas Avenue, Denver, Colorado 80222, as said Model Traffic Code is hereinafter modified and amended. The subject matter of the Model Traffic Code relates primarily to comprehensive traffic control regulation for the Town. The purpose of this Article 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. One (1) copy of the Model Traffic Code adopted herein is now filed in the office of the Town Clerk and may be inspected during regular business hours at the office of the Town Clerk. The 1995 edition of the Model Traffic Code is adopted as if set out in full and at length except for the additions, modifications and deletions set forth hereinafter. (Prior code VI-1-1; Ord. 194 §1, 1995)

Sec. 8-2. Amendments.

The Model Traffic Code is hereby modified and amended in the following particulars:

(1) Section 107, "Obedience to Police," is hereby amended to read as follows:

"Obedience to police and fire department officials. No person shall willfully fail or refuse to comply with any lawful order or direction of any police officer or authorized member

of the fire department of any incorporated town, city or fire district at the scene of a fire, who is invested by law or ordinance with authority to direct, control or regulate traffic.

"Authorized members of the fire department of any incorporated town, city or fire district, when at the scene of a fire within this municipality, may direct or assist the police in directing traffic thereat or in the immediate vicinity."

(2) Section 228, "Restrictions on Tire Equipment," is hereby amended to add an additional subparagraph (9) as follows:

"(9) Tractors and other vehicles having wheels equipped with lugs shall not be operated within the Town of Bow Mar. It shall be unlawful to drive or operate any vehicle on the streets of the Town which injures, rips up or breaks, cracks or otherwise damages the streets in the Town. Nothing herein, however, shall prohibit the use of normal snow-tire studs as permitted by state law."

(3) Section 237, Subsections (a) and (b), is added to read as follows:

"Safety Belt Systems.

"(a) The driver and all front seat passengers in vehicles operated within the Town of Bow Mar shall utilize seat belts and/or shoulder belts at all times.

"(b) Violation of this section shall be punishable by a fine of not less than twenty dollars (\$20.00) and not more than fifty (\$50.00)."

(4) Sections 501 to 509 inclusive are hereby deleted, and in substitution therefor the following Section 501, "Size and Weight Violations," is hereby adopted:

"Size and Weight Violations.

"(a) No truck, tractor or other commercial vehicle (except school or other authorized buses, fire equipment, ambulances and other authorized emergency vehicles) shall be operated within the Town of Bow Mar, if such vehicle has a net vehicle weight of more than 6,500 pounds. *Net vehicle weight* shall mean the weight in pounds shown on the vehicle registration for the state in which the vehicle is registered.

"(b) This section shall not prohibit excluded vehicles from operating within the Town of Bow Mar for the sole purpose of picking up or delivering materials or merchandise or performing a service within the town limits."

(5) Section 510, "Permits for Excess Size and Weight," is hereby amended to insert the words "and after obtaining the consent of the Board of Trustees" after the word "therefor" in the second line.

(6) Section 512, "Liability for Damage," is hereby amended to read as follows:

"Any person driving, operating or moving any vehicle, object or con-

trivance upon any street, highway, shoulder, parkway, traffic circle or traffic triangle within this municipality in violation of any provision of this Model Traffic Code shall be liable for all damage to such street, highway, shoulder, parkway, traffic circle or traffic triangle (including fixtures, signs and landscapings within, on or suspended over the public right-of-way), which may occur as a result of such operation, driving or moving of such vehicle, object or contrivance."

(7) Section 1010(1), "Driving on Divided or Controlled-Access Highways," is hereby amended so as to add the words "or traffic circle island" after the word "barrier" when it appears in the third line, the seventh line and the eighth line of said Section 1010(1).

(8) Section 1101(2)(c), "Speed Regulations," is hereby amended to read as follows:

"Twenty-five miles per hour on all streets within the Town of Bow Mar unless posted otherwise pursuant to Section 1102(1), "Altering of Speed Limits - When."

(9) A new subsection 1204(1)(l), "Stopping, Standing, or Parking Prohibited in Specified Places," is added to read as follows:

"On any roadside, shoulder, borrow pit or public right-of-way adjacent to or contiguous with any public roadway."

(10) Section 1409 is amended to read as follows:

"Compulsory insurance.

"(a) No owner of a motor vehicle which is required to be registered in the State of Colorado shall operate the vehicle, or permit it to be operated, on any public street, road or highway of the Town of Bow Mar unless such owner has in his possession a complying policy or certificate of self-insurance as required by C.R.S. 10-4-705 and 10-4-715.

"(b) Upon request by a peace officer of the Town, an owner or operator of a motor vehicle shall present to the requesting officer immediate evidence of complying policy or certificate of self-insurance required by C.R.S. 10-4-705 and 10-4-715.

"(c) Any person who is convicted of a violation of any provision stated or adopted in this section shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not less than ten dollars (\$10.00), nor more than three hundred dollars (\$300.00)."

(11) Section 1702 is hereby amended to add the following sentence and subsections: "The Municipal Court in and for the Town of Bow Mar shall exercise all of the powers and duties of the Traffic Violations Bureau as provided for in this Model Traffic Code."

"Designated Police Officer, Traffic Engineer and Judge.

"(a) The designated police officer or officers of the Town of Bow Mar shall exercise all of the powers and

duties of the chief of police as provided for in this Code.

"(b) The street commissioner of the Town of Bow Mar shall exercise all of the powers and duties of the traffic engineer as provided for in this Code.

"(c) The judge of the Bow Mar Municipal Court shall exercise all of the powers and duties of the magistrate and Traffic Violations Bureau as provided for in this Code."

(Prior code VI-1-3; Ord. 161, 1988; Ord. 162, 1988; Ord. 186, 1992; Ord. 194 §1, 1995)

Sec. 8-3. Schedules.

Pursuant to the Model Traffic Code, the following schedules are hereby adopted:

(1) The speed limit for all streets in the Town shall be twenty-five (25) miles per hour except that in accordance with the provisions of this Chapter, and when signs are erected giving notice thereof, the speed limit shall be as specified in this schedule for the following streets, segments of streets or intersections:

<u>Name of Street</u>	<u>Portion Affected (terminal limits)</u>	<u>Decreased Speed Limit</u>
Prospect	From East Town limits to a point 150 feet west of the traffic circle.	15 miles per hour
Prospect	From a point 300 feet west of the intersection of Wagon Trail and Prospect along Wagon Trail to a point 300 feet south of the intersection of Prospect and Wagon Trail along Prospect.	15 miles per hour
South Sheridan Blvd.	From north Town limits to a point 150 feet south of the traffic circle.	15 miles per hour

<u>Name of Street</u>	<u>Portion Affected (terminal limits)</u>	<u>Decreased Speed Limit</u>	<u>Name of Street Upon Which Stop Sign is Located</u>	<u>Intersection (unless otherwise indicated or unless the street designated in Column 1 does not continue through the intersection, signs shall be located on both sides of the intersection so as to control traffic moving in both directions on the street designated in Column 1)</u>
Lakeshore	From a point 300 feet northwest of the entrance to the parking area at the Bowles Lake beach to a point 300 feet southeast of the entrance to the parking area at the Bowles Lake beach.	15 miles per hour		
Bow Mar Drive	From the southeast town limits to a point 150 feet north of such Town limits.	15 miles per hour	Bow Mar Dr. at	Beach Road Aspen Juniper Prospect (controlling northwest-bound traffic) Prospect (controlling northbound traffic turning eastbound) Homestead-Lakeshore South Sheridan Yellowstone Sunset Sombbrero (controlling northbound traffic)

(2) In accordance with the provisions of Section 8-1, and when signs are erected giving notice thereof, traffic shall move only in the direction indicated upon the following streets and traffic circles:

<u>Name of Street or Identification of Traffic Circle</u>	<u>Portion Affected (terminal limits)</u>	<u>Direction of Traffic Movement</u>
Traffic circle on Prospect	Entire circle	Counter-clockwise
Traffic circle on South Sheridan Blvd.	Entire circle	Counter-clockwise

(3) Stop signs. In addition to whatever additional stop signs the Street Commissioner may designate and install pursuant to this Chapter with the concurrence of the Board of Trustees, stop signs shall be installed and maintained at the following locations, where vehicular traffic is hereby required to come to a complete stop:

Prospect	at	Bow Mar Drive (controlling westbound traffic turning southbound and controlling westbound traffic continuing west at the traffic triangle) Prospect (controlling southbound traffic turning westbound at the traffic circle) East of traffic circle (controlling westbound traffic) Homestead (controlling southbound and northbound traffic) Wagon Trail (controlling westbound and eastbound traffic)
Wagon Trail	at	4720 Wagon Trail (controlling westbound traffic) 4760 Wagon Trail (controlling eastbound traffic) South Sheridan Prospect (controlling eastbound and southbound traffic) Prospect (controlling westbound and southbound traffic)
So. Sheridan	at	Longhorn (controlling southbound traffic) West Tufts Avenue (controlling northbound traffic) Bow Mar Drive North of traffic circle (controlling southbound traffic)

<u>Name of Street Upon Which Stop Sign is Located</u>	at	<u>Intersection (unless otherwise indicated or unless the street designated in Column 1 does not continue through the intersection, signs shall be located on both sides of the intersection so as to control traffic moving in both directions on the street designated in Column 1)</u>
Lakeshore	at	Bow Mar Drive (where Lakeshore intersects with Bow Mar Drive at the southeast corner of the Town) Beach Road (controlling northbound traffic) Aspen Redwood Bow Mar Drive (at the intersection where Lakeshore becomes Homestead) Entrance to the beach
Homestead	at	Prospect Bow Mar Drive
Ridge Trail	at	South Sheridan Bow Mar Drive
Yellowstone	at	South Sheridan Bow Mar Drive Ridge Trail
Longhorn	at	South Sheridan
Northbound Longhorn	at	Sunset
Sunset	at	South Sheridan Bow Mar Drive
Sombrero	at	Bow Mar Drive
Eastbound Sombrero	at	Sunset
Aspen	at	Bow Mar Drive Lakeshore
Juniper	at	Bow Mar Drive Lakeshore
Frontier	at	Bow Mar Drive
Redwood	at	Bow Mar Drive Lakeshore
Larkspur	at	Bow Mar Drive

<u>Name of Street Upon Which Stop Sign is Located</u>	at	<u>Intersection (unless otherwise indicated or unless the street designated in Column 1 does not continue through the intersection, signs shall be located on both sides of the intersection so as to control traffic moving in both directions on the street designated in Column 1)</u>
Pinyon	at	Lakeshore (south terminal of Pinyon) Lakeshore (north terminal of Pinyon)
Beach Road	at	Bow Mar Drive
The exit from the parking area at the Bowles Lake beach	at	The point where such exit enters upon the right-of-way of Lakeshore Drive to intersect Lakeshore Drive.

(4) Weight or size limitations. Pursuant to this Chapter, all streets within the Town are restricted to prohibit the use thereof by any truck, tractor or other commercial vehicle which exceeds a load capacity of three-quarter-ton rated capacity, except for those instances specifically authorized in this Chapter.

(5) Yield signs. In addition to whatever additional yield signs the Street Commissioner may designate and install pursuant to this Chapter with the concurrence of the Board of Trustees, a yield sign shall be installed and maintained at the following location, where vehicular traffic is hereby required to yield:

<u>Name of Street Upon Which Yield Sign is Located</u>	at	<u>Intersection</u>
Westbound Sombrero	at	Sunset Circle

(Prior code VI-1-4; Ord. 152, 1987; Ord. 158, 1988; Ord. 171, 1990; Ord. 172, 1990; Ord. 187, 1993; Ord. 194 §1, 1995)

Sec. 8-4. Application.

This Article shall apply to every street, alley, sidewalk area, driveway, park and every other public way, public place or public or private parking area within the corporate limits of the Town. 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 throughout the Town. (Prior code VI-1-5; Ord. 194 §1, 1995)

Sec. 8-5. Certification of emissions control required.

It is unlawful for any person to drive, stop or park, or for the owner or person in charge of any vehicle to cause or knowingly to permit to be driven, stopped or parked on any street within the Town, any vehicle which is required under the laws of the State to be inspected pursuant to the Automobile Inspection and Readjustment Program, established pursuant to Sections 42-4-306.5 to 42-4-316, C.R.S., unless such vehicle has been inspected at an authorized inspection station and has attached thereto, in proper position, a valid and unexpired certification of emissions control as required by the laws of the State. (Ord. 132, 1984)

Sec. 8-6. Presumptions.

In a prosecution under Section 8-5, proof that a vehicle without a valid, unexpired certification of emissions control properly displayed as required by the laws of the State was driven, parked or stopped in the Town, together with proof that the defendant named in the complaint was at the time of such driving, stopped or parking a registered owner of the vehicle, shall constitute prima facie evidence that the defendant knowingly permitted or caused to be driven, stopped or parked such vehicle at

the place where, and for the time which, such violation occurred. (Ord. 132, 1984)

Sec. 8-7. Penalties.

Violation of this Chapter shall be punished as set forth in Section 1-72 of this Code. (Ord. 132, 1984; Ord. 194 §1, 1995)

Secs. 8-8-8-20. Reserved.