

ORDINANCE NO. 95

AN ORDINANCE FOR THE REGULATION OF TRAFFIC BY THE TOWN OF MEAD, WELD COUNTY, COLORADO, ADOPTING BY THE REFERENCE THE 1977 EDITION OF THE "MODEL TRAFFIC CODE FOR COLORADO MUNICIPALITIES"; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF MEAD, WELD COUNTY, COLORADO:

Section 1. Adoption. Pursuant to Title 31, Article 16, Parts 1 and 2, C.R.S. 1973, as amended, there is hereby adopted by reference Articles I to XXVI, inclusive, of the 1977 edition of the "Model Traffic Code for Colorado Municipalities", promulgated and published as such by the State Department of Highways, 4201 E. Arkansas Avenue, Denver, Colorado 80222. The subject matter of the Model Traffic Code relates primarily to comprehensive traffic control regulation for the Town. 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 Nation. THREE (3) copies of the Model Traffic Code adopted herein are now filed in the office of the Clerk of the Town of Mead, Colorado, and may be inspected during regular business hours. The 1977 edition of the Model Traffic Code is adopted as if set forth at length.

Section 2. Additions or Modifications. The said adopted Code is subject to the following additions or modifications:

(a.) Section 4-1(a) is amended to read as follows:

Sec. 4-1(a). Basic Rule. No person shall drive a vehicle on a street or highway within this municipality at a speed greater than as reasonable and prudent under the conditions existing, and in no event greater than 25 miles per hour.

(b.) Section 4-1(c) is amended to read as follows:

Sec. 4-1(c). Unless otherwise declared by Ordinance adopting this Code and so permitted by law, any speed in excess of said limits in subsection (b) of this section shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful, except that any and all 25 mile-per-hour speed limits shall be considered maximum lawful speed limits and not prima facie speed limits.

Section 3. Penalties. The following penalties, herein set forth in full, shall apply to this Ordinance:

(a.) It is unlawful for any person to violate any of the provisions stated or adopted in this Ordinance.

(b.) Every person convicted of a violation of any provision stated or adopted in this Ordinance shall be punished by a fine not exceeding THREE HUNDRED AND NO/100 (\$300.00) DOLLARS, or by imprisonment not exceeding NINETY (90) days, or by both such fine and imprisonment.

Section 4. Application. This Ordinance shall apply to every street, alley, sidewalk area, driveway, park, and to every other public way or public parking area, either within or outside the corporate limits of this municipality, the use of which this municipality has jurisdiction and authority to regulate. The provisions of section 5-1, 5-2, 15-12, and 23-3 of the adopted Model Traffic Code respectively concerning reckless driving, careless driving, unauthorized devices, and accident investigation shall apply not only to public places and ways but also throughout this municipality.

Section 5. 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. The Board of Trustees 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 6. Repeal. Existing Ordinances or parts of Ordinances 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 7. Interpretation. This Ordinance shall be so interpreted and construed as to effectuate its general purpose to make uniform the local traffic regulations contained herein. 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. Publication. The Town Clerk shall certify to the passage of this Ordinance, cause notice of its contents and passage to be published or posted, and make not less than THREE (3) copies of the adopted Code available for inspection by the public during regular business hours.

Section 9. Effective Date. This Ordinance shall be in full force and effect from and after final passage, approval, and publication.

PASSED BY THE BOARD OF TRUSTEES AFTER PUBLIC HEARING AND SIGNED THIS 7th DAY OF December, 1981.

TOWN OF MEAD:

Robert A. Clark
Mayor

ATTEST:

Debra J. McDaniel
Town Clerk

(S E A L)