

## CHAPTER 8

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## ARTICLE I

### Model Traffic Code

#### Sec. 8-1. Adoption.

Pursuant to Title 31, Article 16, Parts 1 and 2, C.R.S., 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. The subject matter of the Model Traffic Code relates primarily to comprehensive traffic control regulations 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. Three (3) copies of the Model Traffic Code adopted herein are now filed in the office of the Town Clerk and may be inspected during regular business hours. (Prior code 10.04.010; Ord. 2-2002, § 1)

#### Sec. 8-2. Deletions.

The 1995 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: Section 511, Section 1705. (Ord. 2-2002, § 1)

#### Sec. 8-3. Additions or modifications.

The said adopted code is subject to the following additions or modifications:

(1) Section 508 of the Model Traffic Code is hereby amended in its entirety to read as follows:

**"Section 508. Weight Limits and Limitations on Gas and other Inflammable Liquids on Certain Streets or Parts Thereof.** When official signs are erected giving notice thereof, no person shall operate any vehicle with a weight limit in excess of the amounts specified on such signs, and no person shall operate any vehicle with a capacity of over two hundred fifty (250) gallons carrying gas, oil, fuel oil, diesel fuel, petroleum condensate or other inflammable liquids at any time upon any of the streets or parts thereof or upon any of the bridges or viaducts described below:

<u>"STREET NAME</u>	<u>PORTION(S) AFFECTED</u> <u>(Terminal Limits)</u>	<u>POUND AND GALLON LIMIT</u>
ALL STREETS	All with the following exceptions:	16,000 lbs empty/250 gallons
Exceptions:		
U.S. Highway 85	City Limits to City Limits	16,000 lbs empty/250 gallons
First Avenue	City Limits to City Limits	16,000 lbs empty/250 gallons
Main Street	City Limits to City Limits	16,000 lbs empty/250 gallons
Todd Avenue	City Limits to City Limits	16,000 lbs empty/250 gallons
First Street	City Limits to City Limits	16,000 lbs empty/250 gallons

Walnut Street	City Limits to City Limits	16,000 lbs empty/250 gallons
West Union Avenue	100 Block	16,000 lbs empty/250 gallons
Railroad Drive	All Blocks	16,000 lbs empty/250 gallons"

(2) Appendix Part H Schedule I is hereby amended as follows:

**"Decreased and Increased Speed Limits.** In accordance with the provisions of sections 1101 and 1102 and when official signs are erected giving notice thereof, the speed limit on all streets or portions thereof within the limits of the Town of LaSalle is 25 miles per hour except that the prima facie speed limit for the following intersections or approaches thereto and upon the following streets or portions thereof is as set forth below:

<i>"Street Name</i>	<i>Portions Affected (Terminal Limits)</i>	<i>Speed Limit</i>
First Avenue	From Third Street to Fourth Streets	15 m.p.h. School Zone 7:30 a.m. - 3:30 p.m.
Third Street	From First Avenue to Second Avenue	15 m.p.h. School Zone 7:30 a.m. - 3:30 p.m.
Peterson Way	From First Avenue to Mountview	15 m.p.h. School Zone 7:30 a.m. - 3:30 p.m.
Second Avenue	From Third Street to Fourth Street	15 m.p.h. School Zone 7:30 a.m. - 3:30 p.m.
Fourth Street	From Second Avenue to Sunset Drive	15 m.p.h. School Zone 7:30 a.m. - 3:30 p.m.
Second Street (U.S. Highway 85)	North to South City Limits	40 m.p.h. (Posted)"
County Road 394	First Avenue and CR 394 (inclusive) Easterly along CR 394 approximately 1,315'	45 m.p.h. (Posted)"

(3) Section 1001 of the Model Traffic Code is hereby amended to add a new subsection (d)(1) as follows:

"(d) Upon a roadway restricted to one-way traffic as indicated by official traffic control devices.

"(1) One-Way Streets

<i>"Street Name</i>	<i>Portions Affected (Terminal Limits)</i>	<i>Direction of Traffic</i>
Peterson Way	From First Avenue to Mountview	Southeast"

(4) Section 1203 of the Model Traffic Code is hereby amended to add a new section to read as follows:

**Section 1203. Trucks restricted on streets within Town.** No trailer, semitrailer, truck, truck trailer, bus or part of such vehicle shall be parked or stored upon the streets and alleys within the corporate limits of the Town, whether such vehicle is attended or unattended, for more than sixty (60) minutes, not including the time during which such vehicle actually is being loaded or unloaded. Prohibition of Part 1203 shall apply throughout the Town except;

"(1) Passenger vehicles, as defined by the Model Traffic Code as from time to time adopted or amended;

"(2) Trailers, buses, or trucks not exceeding thirty (30) feet in length;

"(3) Trucks or truck-tractors currently licensed by the State Department of Motor Vehicles which, while on business calls, may be parked on permanently constructed driveways and upon streets in a residential zone or zones;

"(4) Those vehicles which are otherwise lawfully stopped, parked or left standing on a street within the Town as described and as follows, and designated by having these streets;

"a. Both sides of Second Street (U.S. Highway 85) from the northern to the southern limits of Town;

"b. North First Street;

"c. 100 block Fourth Avenue;

"d. Both sides of the east half of the 200 block and all of the 100 block of Fifth Avenue;

"e. Both sides of the Pickle Dock Road."

(5) Section 1204 of the Model Traffic Code is hereby amended by the addition of a new subsection (3)(c) to read as follows:

"(c). In addition, no person shall park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic control device, along any of the following streets or portions of streets:

<u>"STREET NAME</u>	<u>PORTION(S) AFFECTED</u>	<u>HOURS REGULATION AFFECTED</u>
Fourth Street	East Side from Northern Half Of Block of First Avenue to Second Avenue	7:30 a.m. to 8:00 a.m. and 2:45 p.m. to 3:30 p.m. Monday through Friday - School Days Only"

(6) Section 1204 of the Model Traffic Code is hereby amended by the addition of a new subsection (6) to read as follows:

"(6). When official signs are erected giving notice thereof, no person shall stop, stand or park a vehicle for any purpose or period of time other than for the expeditious loading or unloading or pick up and loading of materials between the hours specified herein of any day except Sundays and public holidays upon any of the streets or parts of streets as follows:

<u>"STREET NAME</u>	<u>PORTION(S) AFFECTED</u>	<u>HOURS REGULATION AFFECTED</u>
East Side of First Street	First Avenue to Fourth Avenue	All Hours"

(7) Section 1205 of the Model Traffic Code is amended by the addition of subsection (3)(a)(1-11):

"(3). When official signs are erected giving notice thereof, no person shall stop, stand or park a vehicle except in the manner specified herein and on such sign upon any of the streets or parts thereof.

- "1. The west side of Church Court from First Avenue south for one hundred fifty (150) feet;
- "2. The west and east sides of Peterson Way from First Avenue to Mountview;
- "3. The west side of Third Street between Mountview and Sunset Drive;
- "4. The south side of First Avenue between Peterson Way and Church Court;
- "5. The north and south sides of Third Avenue from First Street west to alley;
- "6. The north side of Second Avenue from First Street west to alley;
- "7. The south side of Second Avenue from First Street west to Second Street;
- "8. The east and west sides of Main Street between Todd Avenue and Union Avenue;
- "9. The north side of Union Avenue from Main Street east to alley;
- "10. The south side of Union Avenue between Main Street and Railroad Drive;
- "11. The east side of Walnut Street from Todd Avenue south to alley; and
- "12. The north side of Sunset Drive from Fourth Street east to alley."

(8) Section 1210 of the Model Traffic Code is amended by the addition of a new section (1210) to read as follows:

**"Section 1210. Parking Prohibited at All times on Certain Streets.** No person shall park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic control device.

<u>"STREET NAME</u>	<u>PORTION(S) AFFECTED</u> <u>(Terminal Limits</u>	<u>HOURS REGULATION</u> <u>AFFECTED</u>
Second Street	West Side along U.S. Highway 85 right-of-way, from the northwest corner of the intersection with Fifth Avenue, North Four Hundred Sixty (460) lineal feet to the north Town Limits	ALL HOURS
Todd Avenue	North side; 200' east from east side of intersection with Main Street	ALL HOURS
Todd Avenue	South side; 77' east from east side of intersection with Main Street	ALL HOURS
First Avenue	Northeast side; 260' northwest from northwest side of intersection with Todd Avenue	ALL HOURS
North Fourth Street	Furthest north at deadend in 300 block from northwest corner of cul-de-sac east for 40'	ALL HOURS"

(9) Section 1701(1) of the Model Traffic Code is hereby amended to read in its entirety as follows:

"(1) Except as set forth herein, it is a municipal traffic infraction for any person to violate any of the provisions of the 1995 edition of the Model Traffic Code as adopted by the Town of LaSalle. Such a traffic infraction shall constitute a civil matter. The Colorado Rules of Municipal Procedure shall apply to traffic infraction proceeds, except that no warrant for arrest shall be issued for the defendant's failure to appear when the only violation charged would constitute a noncriminal traffic infraction and the defendant's driver's license is issued by the State of Colorado or any other state which participates in the Interstate Nonresident Violator Compact, as codified at C.R.S. Section 24-60-2101. Instead, the court may enter a judgment of liability by default against the defendant for failure to appear, assess any penalty and costs established by law and report the judgment to the appropriate state motor vehicle department which may assess points against the defendant's driver's license and may take appropriate action to ensure that the judgment is satisfied. There is no right to a trial by jury for any noncriminal traffic infraction.

"a. A violation of Section 1101(1) involving driving twenty-five (25) or more miles in excess of the reasonable and prudent speed or in excess of the lawful speed limits is a criminal traffic offense.

"b. A violation of Section 607, 705, 1105, 1401, 1402(2), 1409, 1413, 1703, or 1903 of this Code is a criminal traffic offense."

(10) Section 1709 of the Model Traffic Code is amended by the addition of new subsections (6), (7) and (8), which subsections shall read as follows:

"(6) Payment of a penalty assessment notice by the person to whom the notice is tendered shall constitute an acknowledgement of guilt by such person of his or her violation of the offense stated in such notice.

"(7) Payment of the prescribed fine shall be deemed a complete satisfaction for the violation, and the Town, upon accepting the prescribed fine, shall issue a receipt to the violator acknowledging payment thereof. Checks tendered and accepted and on which payment is received shall be deemed sufficient receipt.

"(8) Should the defendant charged by the penalty assessment notice accept the notice but fail to pay the prescribed penalty thereon within twenty (20) days thereafter, he or she shall be allowed to pay such penalty thereon and the maximum court costs permitted for municipal courts under state law to the Clerk of the LaSalle Municipal Court prior to the time for appearance as specified in the notice."

(Prior code 10.04.020; Prior code 10.20.050; Ord. 10-1981; Ord. 2-1983; Ord. 4-1984; Ord. 2-2002 § 1; Ord. 8-2008 § 1)

**Sec. 8-4. Penalties.**

It is unlawful for any person to violate any provisions of this Article or of the 1995 edition of the Model Traffic Code, as amended and adopted by the Town. Any person convicted of violating any such provision is subject to a penalty not to exceed nine hundred ninety-nine dollars and ninety-nine cents (\$999.99) or by imprisonment for not more than one (1) year, or by both such fine and imprisonment. (Ord. 2-2002 § 1)

**Sec. 8-5. Application.**

This Article shall apply to every street, alley, sidewalk area, driveway, park and every other public way, public place or public parking area, either within or outside the corporate limits of the Town, the use of which the Town 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, compulsory insurance and eluding a police officer shall apply not only to public places and ways, but also throughout the Town. (Prior code 10.04.030; Ord. 2-2002 § 1)

**Sec. 8-6. Interpretation.**

This Article 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 this Article and the 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. (Prior code 10.04.040; Ord. 2-2002, § 1)

**Sec. 8-7. Certification; copy on file.**

The Town Clerk shall certify to the passage of the ordinance codified in this Article and make not less than three (3) copies of the adopted code available for inspection by the public during regular business hours. (Prior code 10.04.050; Ord. 2-2002, § 1)

**Secs. 8-8—8-20. Reserved.**

## ARTICLE II

### Abandoned and Junked Vehicles

#### **Sec. 8-21. Adoption.**

Pursuant to Title 42, Article 4, Part 18, C.R.S., there is hereby adopted by reference Sections 42-4-1801 through 42-4-1815, C.R.S. inclusive, officially approved, adopted and published as such by the State, of which one (1) copy is now filed in the office of the Town Clerk and may be inspected during regular business hours, the same being adopted as if set out at length, save and except as follows. (Ord. 9-1989, § 1; Ord. 2-2002, § 1)

#### **Sec. 8-22. Purpose.**

The purpose of the adopted code is to preserve and protect the public health, safety and general welfare and for the purpose of prescribing procedures for the removal, storage and disposal of abandoned and illegally parked motor vehicles and to provide penalties therefor. (Ord. 9-1989, § 2; Ord. 2-2002, § 1)

#### **Sec. 8-23. Scope.**

The subject matter of this Article is to provide procedures for the removal, storage and disposal of abandoned and illegally parked motor vehicles and to provide penalties therefor. (Ord. 9-1989, § 3; Ord. 2-2002, § 1)

#### **Sec. 8-24. Inoperable vehicles.**

(a) Findings of Board of Trustees. The Board of Trustees finds that junked, wrecked, dismantled, inoperable, discarded or abandoned vehicles in and upon real property within the Town is a matter affecting the health, safety and general welfare of the citizens of the Town for the following reasons:

- (1) Such vehicles serve as a breeding ground for flies, mosquitoes, rats and other insects and rodents.
- (2) They are a danger to persons, particularly children, because of broken glass, sharp metal protrusions, insecure mounting on blocks, jacks or supports and because they are a ready source of fire and explosion.
- (3) They encourage pilfering and theft and constitute a blighting influence upon the area in which they are located, thereby causing a loss in property value to surrounding property.
- (4) They constitute a fire hazard in that they block access for fire equipment to adjacent buildings and structures.

(b) Definitions.



(1) *Inoperable* means a condition of being junked, wrecked, wholly or partially dismantled, discarded, abandoned or unable to perform the functions or purpose for which it was originally constructed or manufactured.

(2) *Vehicle* means any automobile, truck, tractor or motorcycle which as originally built contained an engine, regardless of whether it contains an engine at any other time.

(c) Prohibitions. Except as provided in subsections (d), (e) and (f) of this Section, it is unlawful for any person, partnership, corporation or their agent, either as owner, lessee, tenant or occupant, of any lot or land within the Town, to park, store or deposit, or permit to be parked, stored or deposited thereon, an inoperable vehicle unless it is enclosed in a garage or other building.

(d) Temporarily disabled vehicle. The provisions of subsection (c) of this Section shall not apply to any person, partnership or corporation or their agent with the possession of one (1) vehicle inoperable for a period of thirty (30) days or less.

(e) Business activity and screening. The provisions of subsection (c) of this Section shall not apply to any person, firm, corporation or their agent who is conducting a business enterprise in compliance with existing zoning regulations or who places such vehicles behind fencing of at least six (6) feet in height and sufficient size, strength and density to prohibit ready access to such vehicles by children; provided, however, that nothing in this Section shall authorize the maintenance of a public nuisance.

(f) Special vehicle permit. Upon completion of a permit form furnished by the Town and signed approval by the Chief of Police, any person, partnership, corporation or their agent, either as owner, lessee, tenant or occupant of any lot or land within the Town, may receive a renewable permit not to exceed one (1) year's duration to lawfully maintain a vehicle on the stated premises for the purpose of restoration, and for such the provisions of subsection (c) of this Section shall not apply. If approval is not granted by the Chief of Police, appeal of this decision may be made to the Board of Trustees.

(g) Administrative procedure. Whenever an informal complaint is made to the Chief of Police or to any other appropriate Town official or member of the Board of Trustees regarding an alleged violation of subsection (c), or whenever any police officer of the Town observes an apparent violation of subsection (c), a police officer or sanitation officer shall within seven (7) days thereafter cause a written notice to be served upon the person in possession or the owner of the real property upon which such inoperable vehicle is located. Such notice shall inform such person of the violation and direct that he or she take action within seven (7) days after receipt of such notice to comply with subsection (c) of this Section, or that prosecution will be commenced for violation thereof. If compliance is not made as directed, prosecution proceedings against the responsible person or persons shall be commenced. (Prior code 7.04.260; Ord. 2-2002, § 1)

#### **Sec. 8-25. Abandonment.**

(a) Any person who abandons any motor vehicle upon a street, highway, right-of-way or any other public property, or upon any private property without the express consent of the owner or person in lawful charge of such private property, commits the violation of abandonment of a motor vehicle.

(b) *To abandon* means to leave a thing with the intention not to retain possession of or assert ownership over it. The intent need not coincide with the act of leaving.

(c) It is prima facie evidence of the necessary intent that:

- (1) The motor vehicle has been left for more than seven (7) days unattended and unmoved;
- (2) License plates or other identifying marks have been removed from the motor vehicle;
- (3) License plate tags have expired;
- (4) The motor vehicle has been damaged or is deteriorated so extensively that it has value only for junk or salvage;
- (5) Placement of the vehicle or parts thereof upon jacks, blocks, chains or other supports; or
- (6) The owner has been notified by a law enforcement agency to remove the motor vehicle, and it has not been removed within three (3) days after notification. (Prior code 7.04.270; Ord. 2-2002, § 1)

**Secs. 8-26—8-40. Reserved.**

### ARTICLE III

#### Compulsory Insurance

**Sec. 8-41. Compulsory insurance.**

No owner of a motor vehicle required to be registered in this State shall operate the vehicle or permit it to be operated on a public street or highway within the Town when he or she has failed to have a complying policy or certificate of self-insurance in full force and effect as required by Section 42-4-1409, C.R.S. (Ord. 1-2005 § 1)

**Sec. 8-42. Self-insurance.**

No person shall operate a motor vehicle on a public street or highway within the Town without a complying policy or certificate of self-insurance in full force and effect as required by Section 42-4-1409, C.R.S. (Ord. 1-2005 § 1)

**Sec. 8-43. Provision of insurance in full force.**

When an accident occurs, or when requested to do so following any lawful traffic contact or during any traffic investigation by a peace officer, no owner or operator of a motor vehicle shall fail to present to the requesting officer immediate evidence of a complying policy or certificate of self-insurance in full force and effect as required by Section 42-4-1409, C.R.S. (Ord. 1-2005 § 1)

**Sec. 8-44. Prima facie evidence.**

Testimony of the failure of the owner or operator of a motor vehicle to present immediate evidence of a complying policy or certificate of self-insurance in full force and effect as required by law, when requested to do so by a peace officer, shall constitute prima facie evidence, at a trial concerning a violation charged under Section 42-4-1409, C.R.S., that such owner or operator of a motor vehicle violated Section 42-4-1409, C.R.S. (Ord. 1-2005 § 1)

**Sec. 8-45. Provision of complying insurance documents.**

No person charged with violating Section 42-4-1409, C.R.S., shall be convicted if he or she produces in court a bona fide complying policy or certificate of self-insurance that was in full force and effect as required by law at the time of the alleged violation. (Ord. 1-2005 § 1)

**Sec. 8-46. Penalties.**

The following penalties, herewith set forth in full, shall apply to this Article:

(1) Any person who violates the provisions of Section 8-41, 8-42 or 8-43 above shall be punished by a minimum mandatory fine of not less than five hundred dollars (\$500.00). The Municipal Court may suspend up to one-half ( $\frac{1}{2}$ ) of the fine upon a showing that appropriate insurance has been obtained. Nothing in this Paragraph shall be construed to prevent the Municipal Court from imposing a fine greater than the minimum mandatory fine.

(2) Upon a second or subsequent conviction under this Article within a period of five (5) years following a prior conviction under this Article, in addition to any imprisonment imposed, the defendant shall be punished by a minimum mandatory fine of not less than one thousand dollars (\$1,000.00), and the Municipal Court shall not suspend such fine. The Municipal Court may suspend up to one-half ( $\frac{1}{2}$ ) of the fine upon showing that appropriate insurance as required has been obtained. (Ord. 1-2005 § 1)

**Secs. 8-47—8-50. Reserved.**

**ARTICLE IV**

**Snow Routes**

**Sec. 8-51. Definitions.**

As used in this chapter the following words have the following meanings:

*Snow route* means all streets and highways designated as a snow route by the Board of Trustees in accordance with the provisions of this Chapter.

*Snow storm conditions* means when there is an accumulation of two (2) inches or more of nondrifted snow or enough sleet, snow or ice to cause a solid coating of ice on any street designated as a snow route. (Ord. 5-2008 § 1)

**Sec. 8-52. Designation of snow routes and posting of signs.**

(a) The Board of Trustees, by resolution, may designate or change snow routes within the Town based upon the Board's determination as to which streets or highways should be free of parked, stopped or stalled vehicles when snow storm conditions exist.

(b) Along each designated snow route, the Director of Public Works shall cause to be posted traffic signs indicating that the street or highway has been designated a snow route and that parking prohibitions apply. The lack of visibility of any such sign when parking restrictions are in effect shall not excuse the owner or operator of a vehicle from complying with the provisions of this Chapter. (Ord. 5-2008 § 1)

**Sec. 8-53. Parking in snow routes prohibited.**

Whenever snow storm conditions exist, no owner of a motor vehicle or person in charge of a motor vehicle shall allow the vehicle to remain parked, abandoned, standing or stopped on any designated snow route. Any such vehicle found parked, abandoned, standing or stopped on a designated snow route is subject to a citation and impoundment. Violation of this Section shall be subject to penalties as provided by Section 8-4 of this Chapter. (Ord. 5-2008 § 1)

**Sec. 8-54. Removal of vehicles from snow routes.**

The Police Department is authorized to remove from designated snow routes any vehicle that is parked, abandoned, standing or stopped in violation of this Chapter and to cause such vehicle to be impounded at an impound lot at the owners' sole expense. The Town shall not be liable, and no officer, employee or agent of the Town shall be liable, for any damages resulting from any act or omission in any way connected with the removal of a vehicle pursuant to this Chapter. (Ord. 5-2008 § 1)

**Sec. 8-55. Snow removal plan.**

Exhibit A, a copy of which is available in the office of the Town Clerk, represents the established snow routes and their respective designation, in the order of priority. (Ord. 5-2008 § 1)

**Secs. 8-56—8-80. Reserved.**

**ARTICLE V**

**Driving While License Denied, Suspended or Revoked**

**Sec. 8-81. Adoption.**

Pursuant to Title 42, Article 2, Part 1, C.R.S., there is hereby adopted by reference Section 42-2-130, C.R.S., inclusive, of Title 42, C.R.S., as officially approved, adopted and published as such by the State, of which one (1) copy is now filed in the office of the Town Clerk and may be inspected during regular business hours, the same being adopted as if set out at length, save and except as provided in this Article. (Ord. 1-1993 §1)

**Sec. 8-82. Purpose.**

The purpose of the adopted Code is to preserve and protect the public health, safety and general welfare and for the purpose of requiring that any person driving a motor vehicle in the Town be duly licensed as required in the State. (Ord. 1-1993 §1)

**Sec. 8-83. Scope.**

The subject matter of this Code provision is to provide prohibitions of any person driving on any streets, alleys or public ways within the corporate limits of the Town when his or her privilege to operate a motor vehicle is under denial, suspension or revocation and to provide penalties therefor. (Ord. 1-1993 §1)

**Sec. 8-84. Jurisdiction.**

This Article shall apply to conduct and occurrences within the corporate limits of this municipality, the manner of which this municipality has jurisdiction and authority to regulate. (Ord. 1-1993 §1)

**Sec. 8-85. Penalties.**

The following penalties, herewith set forth in full, shall apply to this Article:

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

(2) Every person convicted of a violation of any provision stated or adopted in this Article shall be punished by imprisonment in the county jail for not less than five (5) days nor more than six (6) months, and, in the discretion of the Court, a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) may be imposed.

(3) The minimum sentence imposed by Paragraph (2) above shall be mandatory, and the Court shall not grant probation or a suspended sentence, in whole or in part, or reduce or suspend the fine under this Section; but, in a case where the defendant is convicted, although he or she established that he or she had to drive the motor vehicle in violation of this Section because of an emergency, the mandatory jail sentence or the fine, if any, shall not apply. (Ord. 1-1993 §2)

**Secs. 8-86—8-100. Reserved.**