

CHAPTER 8

Vehicles and Traffic

ARTICLE I Model Traffic Code

Section 8-1.	Adoption
Section 8-2	Additions and modifications
Section 8-3	Application
Section 8-4	Interpretation
Section 8-5	Certification
Section 8-6-20	Reserved

ARTICLE II Parking Regulations

Section 8-21	Parking of boats, trailers or trucks upon the streets of the Town
Section 8-22-23	Reserved
Section 8-24	Parking prohibited at certain locations
Section 8-25	Parking prohibited after snowfall accumulation
Section 8-26-40	Reserved

ARTICLE III Abandoned and Inoperable Vehicles

Section 8-41	Definitions
Section 8-42	Inoperable vehicles unlawful
Section 8-43	Abandonment of motor vehicles unlawful
Section 8-44	Storage and disposal of abandoned or inoperable vehicles
Section 8-45	Notice and hearing concerning impounded vehicles
Section 8-46-80	Reserved

ARTICLE I
Model Traffic Code

Sec. 8-1. Adoption.

Pursuant to Parts 1 and 2 of Article 16 of Title 31 and Part 4 of Article 15 of Title 30, C.R.S., 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 as such by the Colorado Department of Transportation, Safety and Traffic Engineering Branch, 4201 East Arkansas Avenue, Denver, CO 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 adopted Model Traffic Code is to provide a system of traffic regulations consistent with state law and generally conforming to similar regulations throughout the State and the nation. Copies of the adopted Model Traffic Code are now filed in the office of the Town Clerk and may be inspected during regular business hours.

Sec. 8-2. Additions and modifications.

The adopted Model Traffic Code is subject to the following additions and modifications:

(1) Section 107 is amended to read as follows:

"107. 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 member of the fire department at the scene of a fire, who is invested by the law or ordinance with authority to direct, control or regulate traffic."

(2) Section 614(2) shall be modified to replace the word "sing" with the word "sign."

(3) Section 615(3) shall be modified by inserting the word "apply" in the first line between the words "not" and "if."

(4) Section 1203 is added to read as follows:

"1203. Parking for certain purposes prohibited. No person shall park a vehicle upon a roadway for the principal purpose of:

"(1) Displaying such vehicle for sale;

"(2) Washing, greasing, painting or repairing such vehicle except repairs necessitated by an emergency;

"(3) Displaying advertising."

(4) No vehicle, camper, trailer, or construction equipment of any type may be parked within the right-of-way of any paved street within the Town of Williamsburg. Exceptions may be permitted for the short term daily use of construction equipment. A lack of off-street parking must be shown for such exceptions. Permits to park construction equipment may be obtained at Town Hall."

(5) Section 1204(1) is amended by adding paragraph (1):

"(1) Within an alley except during the necessary and expeditious loading and unloading of merchandise or freight. No person shall stop, stand or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property."

(6) Section 1204(2) is amended by adding paragraph (g) to read as follows:

"(g) Within less than two (2) feet clearance from adjacent vehicles."

Sec. 8-3. Application.

This Article shall apply to all streets, alleys, highways, lanes and ways, whether public or private, within the corporate limits of the Town without exception.

Sec. 8-4. Interpretation.

This Article shall be so interpreted and construed as to effectuate its general purpose to conform to 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.

Sec. 8-5. Certification.

The Town Clerk shall certify to the passage of this Article and make not less than three (3) copies of the adopted Model Traffic Code available for inspection by the public during regular business hours or at a public library and/or internet address.

Secs. 8-6—8-20. Reserved.

ARTICLE II

Parking Regulations

Sec. 8-21. Parking of boats, trailers or trucks upon the streets of the Town.

(a) No boat, trailer coach, mobile home, motor home, trailer, semitrailer, truck or truck-tractor, all as defined in the Model Traffic Code, or any part of any such vehicle, shall be parked or stored upon the streets of the Town.

(b) No boat, trailer coach, mobile home, motor home, trailer, semitrailer, truck or truck-tractor, all as defined in the Model Traffic Code, shall be parked or stored upon any lot in the Town closer than the parameters established by Section 16-121 of this Code concerning visibility at intersections. The parking of such vehicle(s) shall be prohibited at street intersections within a triangular area described as follows: "beginning at the point of intersection of the edges of the driving surface, then to points forty (40) feet along both intersecting edges and then along a transverse line connecting those points."

Sec. 8-22---8-23. Reserved

Sec. 8-24. Parking prohibited at certain locations.

(a) The parking of motor vehicles in designated fire lanes within the corporate limits of the Town, without exception.

(b) The Town Board is hereby authorized and instructed to erect appropriate signs and make markings to designate the restricted parking areas established hereby.

Sec. 8-25. Parking prohibited after snowfall accumulation.

(a) The Town Board is hereby authorized to oversee the development and placement of appropriate street signs to inform the public of the restrictions set forth in this Section and to oversee the development and adoption of such rules and regulations as may be deemed necessary to effectuate and carry out the intent of this Section.

Secs. 8-26--8-40. Reserved.

ARTICLE III

Abandoned and Inoperable Vehicles

Sec. 8-41. Definitions.

As used in this Article, the following terms shall have the meanings indicated:

(1) Abandoned motor vehicle means:

a. Any motor vehicle left unattended on private property for a period of twenty-four (24) hours or longer without the consent of the owner or lessee of such property or his or her legally authorized agent.

b. Any motor vehicle left unattended on public property for a period of twenty-four (24) hours or longer, unless the owner or driver has conspicuously affixed thereto a dated notice indicating his or her intention to return or has otherwise notified the appropriate law enforcement agency of his or her intention to remove the same within seventy-two (72) hours.

(2) Inoperable vehicle means any automobile, truck or self-propelled vehicle incapable of moving under its own power or which lacks a valid state license plate and current registration or does not comply with the minimum safety requirements of state motor vehicle laws.

(3) No motor vehicle shall be deemed abandoned or inoperable under this Section if said motor vehicle is stored in a fully enclosed garage or similar structure on private property.

Sec. 8-42. Inoperable vehicles unlawful.

(a) It shall be unlawful for the owner or any person having control over any inoperable vehicle to allow such vehicle to remain within the limits of the Town, except in areas specifically zoned for the storage, maintenance or repair of such vehicles.

(b) Inoperable vehicles found in areas other than personal property or those areas specifically zoned as aforesaid may be towed and impounded in accordance with the provisions of state law and this Code.

Sec. 8-43. Abandonment of motor vehicles unlawful.

It shall be unlawful for any person to abandon any motor vehicle upon public property or upon private property other than his or her own property. Abandoned vehicles may be towed and impounded in accordance with the provisions of state law and this Code.

Sec. 8-44. Storage and disposal of abandoned or inoperable vehicles.

Vehicles removed from public or private property within the Town and placed in storage as provided in this Code shall be stored and disposed of in accordance with the provisions of state law and this Code.

Sec. 8-45. Notice and hearing concerning impounded vehicles.

(a) Whenever a motor vehicle is impounded pursuant to this Code and state law, the Town Board or designee shall notify the registered owner of record of the impoundment of such vehicle and of the owner's opportunity to request a hearing to determine the validity of the impoundment.

(b) Notice under this Section shall be sent by certified mail to the owner of the motor vehicle within forty-eight (48) hours of impoundment, excluding weekends and holidays, and shall set forth the following information:

- (1) The address, telephone number and current hours of the Town offices.
- (2) The location of storage of the motor vehicle.
- (3) A description of the motor vehicle, including the make, model, license plate number, mileage and vehicle identification number, if available.
- (4) A brief statement of the reason for which the motor vehicle was impounded.
- (5) That the owner may request a hearing concerning the validity of the impoundment and that such hearing must be requested through the Town Board or designee within ten (10) days after the date appearing on the notice.

(c) Hearings requested hereunder shall be conducted by the Municipal Judge and shall take place within seventy-two (72) hours after the receipt of a request for hearing, excluding weekends and holidays. The failure of the owner of a motor vehicle to request or to attend a scheduled hearing shall be conclusive of the validity of the impoundment and shall satisfy the hearing requirement of this Section.

(d) Hearings conducted hereunder shall be limited to the sole issue of the legality of the impoundment of the motor vehicle. The burden of proof shall be upon the Town Board to establish probable cause for the impoundment. The hearing shall be conducted in an informal manner and shall not be governed by technical rules of evidence. The Municipal Court may, in its discretion, adopt procedural rules for conducting such hearings.

(e) At the conclusion of the hearing, the Municipal Judge shall prepare a written decision and shall provide a copy thereof to the Sheriff's Department and the owner of the impounded vehicle. The decision of the

Municipal Judge shall be final.

(f) In the event the Municipal Judge determines that the impoundment was invalid, the Town shall be responsible for the costs incurred in the towing and storage of the motor vehicle in question.

Secs. 8-46--8-80. Reserved.