

**ORDINANCE NO. 5
SERIES 2022**

**AN ORDINANCE OF THE CRESTED BUTTE TOWN COUNCIL
AMENDING CRESTED BUTTE MUNICIPAL CODE CHAPTER 8,
ARTICLE 4, SECTION 20, SPEED AND SPECIAL HAZARDS.**

WHEREAS, the Town of Crested Butte, Colorado ("**Town**") is a home rule municipality duly and regularly organized and now validly existing as a body corporate and public under and by virtue of the Colorado Constitution and laws of the State of Colorado; and

WHEREAS, pursuant to Article XX of the Colorado Constitution, as implemented through the Town of Crested Butte Charter; and Title 31, Article 23, and Title 20, Article 29, C.R.S.; the Town has the authority to enact and enforce land use regulations and traffic regulations within the Town; and

WHEREAS, Chapter 8, Article 4, Section 20, of the Crested Butte Municipal Code (the "Code"), regulates speed limits and special hazards on Town streets; and

WHEREAS, the Town Council wishes to facilitate the safe and efficient flow of traffic on Elk Avenue during the months of the year when Elk Avenue becomes more congested as a result of the Town's seasonal parklet/patio program on Elk Avenue between Fifth Street and First Street; and

WHEREAS, the Town Council finds that the below amendments to Chapter 8, Article 4, Section 20 of the Code are in the best interests of the health, safety and general welfare of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CRESTED BUTTE, COLORADO, THAT CHAPTER 8, ARTICLE 4, SECTION 20 OF THE CODE IS AMENDED AS FOLLOWS:

Section 1. Amending Chapter 8 Article 4 Section 20 – Speeding and Special Hazards and Amending Chapter 8 Article 4 Section 40 - Definitions

Sec. 8-4-20(c) shall be repealed and replaced as follows:

During any months of the year when the Town converts traffic flow on Elk Avenue to one-way or two-way traffic with restricted flow due to the installation of seasonal parklets/patios from Fifth Street to First Street or the Town implements other seasonal traffic calming on Elk Avenue, any speed in excess of ten (10) miles per hour on Elk Avenue between Sixth Street and First Street shall be prima facie evidence that the speed is not reasonable and prudent, and

speeds in excess of ten (10) miles per hour on Elk Avenue during this time period shall be unlawful.


Section 2. Severability. If any section, sentence, clause, phrase, word or other provision of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such holding shall not affect the validity of the remaining sections, sentences, clauses, phrases, words or other provisions of this ordinance, or the validity of this ordinance as an entirety, it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any section, sentence, clause, phrase, word or other provision.

Section 3. Savings Clause. Except as amended hereby, the Crested Butte Municipal Code, as amended, shall remain valid and in full force and effect. Any provision of the Code that is in conflict with this ordinance is hereby repealed as of the effective date hereof.

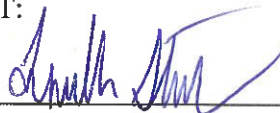
INTRODUCED, READ AND SET FOR PUBLIC HEARING THIS 21st DAY OF March, 2022.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING IN PUBLIC HEARING THIS 4th DAY OF April, 2022.

TOWN OF CRESTED BUTTE, COLORADO

By: 
Ian Billick, Mayor

ATTEST:


Lynelle Stanford, Town Clerk

[SEAL]

