

**ORDINANCE NO. 08**

**SERIES 2018**

**AN ORDINANCE OF THE CRESTED BUTTE TOWN COUNCIL REPEALING THE ADOPTION OF THE 2003 MODEL TRAFFIC CODE AND, IN ITS PLACE, ADOPTING BY REFERENCE THE 2010 EDITION OF THE MODEL TRAFFIC CODE FOR COLORADO; AND PROVIDING PENALTIES FOR VIOLATION THEREOF.**

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

**WHEREAS**, the Town Council of the Town of Crested Butte, Colorado has previously adopted and enacted the 2003 edition of the Model Traffic Code for Colorado; and

**WHEREAS**, in 2010, the Model Traffic Code for Colorado was revised and the Town Council wishes to adopt the 2010 Model Traffic Code for Colorado (hereafter "Model Traffic Code"); and

**WHEREAS**, the Town Council wishes to continue the additions and modifications of the Model Traffic Code which are set forth in Sections 8-1-10, 8-1-20 and 8-1-30 of the Crested Butte Municipal Code, and;

**WHEREAS**, the Town Council hereby finds that the adoption and amendments contained herein are necessary to protect the health, safety and general welfare for the citizens of the Town.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CRESTED BUTTE, COLORADO, THAT,**

**Section 1. Adoption of the 2010 Model Traffic Code for Colorado.** The title of Article 8-1-10 of the Crested Butte Municipal Code (hereafter "Code") shall be amended by changing the edition year from 2003 to 2010.

Further, Section 8-1-10. Of the Code is hereby amended by deleting it in its entirety and replacing it with the following:

**"Sec. 8-1-10. - Adoption.** Pursuant to parts 1 and 2 of article 16 of title 31, C.R.S., there is hereby adopted by reference Articles I and II, inclusive, of the 2010 edition of the "Model Traffic Code" promulgated and published as such by the Colorado Department of Transportation, Safety and Traffic Engineering Branch, 4201 East Arkansas Avenue, EP 700., 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 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 the nation."

Further, Section 8-1-20. Of the Code is hereby amended by deleting it in its entirety and replacing it with the following:

“**Sec. 8-1-20. – Copy on File.** Three (3) 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. The 2010 edition of the Model Traffic Code is adopted as if set out at length.”

**Section 2. Certification.** The Town Clerk shall certify to the passage of this ordinance and make not less than three copies of the adopted Code available for inspection by the public during regular business hours.

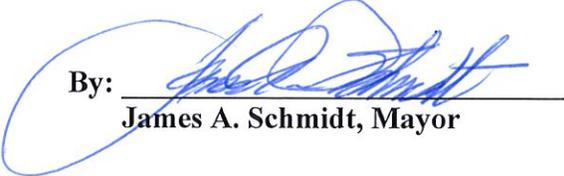
**Section 3. Severability.** If any section, sentence, clause, phrase, word or other provision of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such holding shall not affect the validity of the remaining sections, sentences, clauses, phrases, words or other provisions of this ordinance, or the validity of this ordinance shall stand notwithstanding the invalidity of any section, sentence, clause, phrase, word or other provision.

**Section 4. 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 any ordinance previously adopted by the Town which is in conflict with this ordinance is hereby repealed as of the enforcement date hereof.

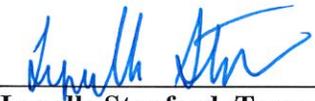
INTRODUCED, READ AND SET FOR PUBLIC HEARING THIS 16<sup>m</sup> DAY OF April, 2018.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING IN PUBLIC HEARING THIS 7<sup>m</sup> DAY OF May, 2018.

TOWN OF CRESTED BUTTE, COLORADO

By:   
James A. Schmidt, Mayor

ATTEST:

  
Lynelle Stanford, Town Clerk

