

ORDINANCE NO. 2020-03

AN ORDINANCE AMENDING ORDINANCE No. 2002-3 TO MODIFY THE SPEED LIMIT ON TOWN OF RICO SIDE STREETS.

WHEREAS, the Town of Rico, by its Trustees (Town), adopted the Model Traffic Code (MTC) by reference on August 21, 2002 with no deletions, modifications or additions;

WHEREAS, the speed limit for Town side streets under the MTC is thirty miles per hour in any residence district;

WHEREAS, a residence district means the territory contiguous to and including a highway not comprising a business district when the frontage on such highway for a distance of three hundred feet or more is mainly occupied by dwellings or by dwellings and buildings in use for business under C.R.S. 42-1-102(80);

WHEREAS, after a traffic investigation was conducted by the Town Marshall, the Town has determined that the side streets are dirt and a speed limit of thirty (3) m.p.h. is too fast for dirt roads due to dust, road damage, and safety;

WHEREAS, MTC 1102(2) allows municipalities to determine speeds on roads within its jurisdiction and the Town desires to reduce the speed limit in the residential district;

WHEREAS, this ordinance is necessary for the health, safety and welfare of the general public and Town residents.

BE IT ORDAINED BY THE CITY COUNCIL, BOARD OF TRUSTEES, OF THE TOWN OF RICO, COLORADO:

Section 1. Modifications.

The said adopted Model Traffic Code. 42-4-1105(2)(c) is repealed and replaced as follows:

Fifteen miles per hour in any residence district, as defined in section 42-1-102(80), C.R.S.;

Section 2. Application.

This ordinance shall apply to every street, alley, sidewalk area, driveway, park, and to every other public way or public place or public parking area, either within or outside the corporate limits of this municipality or county, the use of which this municipality or county has jurisdiction and authority to regulate. The provisions of sections 1401, 1402, 1413, and part 16 of the adopted Model Traffic Code, respectively concerning reckless driving, careless driving, eluding a police officer, and accidents and accident reports shall apply not only to public places and ways but also throughout this municipality or county.

Section 3. 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 Town 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 4. Repeal.

Existing or parts of ordinances (identifying ordinance number may be cited) 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 5. Interpretation.

This ordinance 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 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 6. 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.

READ, MOVED AND APPROVED ON FIRST READING ON THE 16TH DAY OF SEPTEMBER 2020.

READ AND FINALLY ADOPTED AFTER CONDUCTING A PUBLIC HEARING ON THE 21ST DAY OF OCTOBER 2020.

TOWN OF RICO, COLORADO


Barbara Betts, Mayor


Linda Yellowman, Clerk