

**TOWN OF RED CLIFF, COLORADO
ORDINANCE 5, SERIES 2015**

AN ORDINANCE AMENDING ARTICLE 2 OF CHAPTER 8 OF THE TOWN OF RED CLIFF MUNICIPAL CODE BY ADDING NEW TIME-BASED RESTRICTIONS ON PARKING ON TOWN OF RED CLIFF STREETS AND REVISING THE PENALTY SCHEDULE APPLICABLE TO PARKING VIOLATIONS IN THE TOWN OF RED CLIFF.

WHEREAS, the Town of Red Cliff (“Town”) is a municipal corporation and body politic organized under the laws of the State of Colorado and possessing the maximum powers, authority and privileges to which it is entitled under Colorado law;

WHEREAS, the Town, by virtue of its status, may adopt ordinances relative to local municipal matters as are necessary to effectuate the purposes and intents of the powers granted to municipalities, including, but not limited to, ordinances pertaining to parking in the Town;

WHEREAS, the Town of Red Cliff Municipal Code (“Code”) does not presently include any time-based restrictions on parking on Town streets;

WHEREAS, the Town’s Board of Trustees (“Board”) has determined that it would be appropriate and beneficial for the Code to include time-based restrictions on parking on Town streets;

WHEREAS, § 8-2-70 of the Code presently provides that violations of the parking restrictions set forth in Article 2 of Chapter 8 of the Code are to be punished by a fine of not more than \$300 and not less than \$100; and,

WHEREAS, the Board has determined that the the penalty schedule established by § 8-2-70 of the Code is unduly harsh and should be revised to better reflect established societal norms for parking violations.

NOW, THEREFORE, THE TOWN OF RED CLIFF ORDAINS:

Section 1: Addition. A new Section 65 is added to Article 2 of Chapter 8 of the Town of Red Cliff Municipal Code to provide in its entirety:

Sec. 8-2-65 Time Limits.

It shall be a violation of this Article for any person to leave any vehicle parked on a Town street for more than 72 consecutive hours.

Section 2: Amendment. Section 70 of Article 2 of Chapter 8 of the Town of Red Cliff Municipal Code is amended to provide in its entirety:

Sec. 8-2-70 Penalties.

(a) Any person who is convicted of, who admits liability for or against whom a judgment is entered for a violation of this Article shall be fined in the amount of \$50.00.

(b) The amount of the fine set forth in (a) shall automatically increase by \$50.00 if not paid within 30 days of the date of issuance of a parking ticket or citation.

Section 3: Declaration. The Board of Trustees hereby finds, determines and declares that this Ordinance is necessary and proper to protect the public health, safety and welfare of the Town of Red Cliff and its inhabitants.

Section 4: Severability. If any section, paragraph, clause, provision or part of this Ordinance is for any reason held to be invalid or unenforceable, the remainder of this Ordinance shall continue in full force and effect, it being the intent of the Board of Trustees that this Ordinance would have been adopted even if such invalid or unenforceable matter had not been included therein. It is further declared that if any section, provision or part of this Ordinance, or the application thereof to any person or circumstance, is held invalid, the remainder of the Ordinance and the application thereof to other persons shall not be affected thereby.

Section 5: Effective Date. This Ordinance shall become effective thirty (30) days after publication following final passage.

INTRODUCED, TITLE READ IN FULL, APPROVED ON THE FIRST READING AND ORDERED POSTED IN FULL THIS 18TH DAY OF MARCH 2014. A public hearing on the SECOND READING of this Ordinance will be held at the regular meeting of the Board of Trustees of the Town of Red Cliff on the 7TH day of APRIL 2015 at 7:00 p.m. in the Town Hall of the Town of Red Cliff.

TOWN OF RED CLIFF, COLORADO



M. Scott Burgess, Mayor


ATTEST:


Barb Smith, Town Administrator

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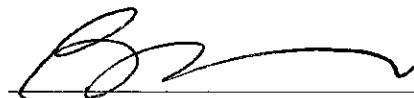
ADOPTED AND ORDERED PUBLISHED on this 7th day of April 2015.

TOWN OF RED CLIFF, COLORADO



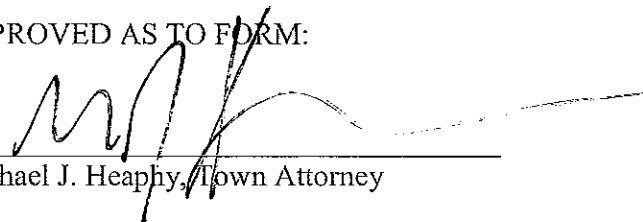
M. Scott Burgess, Mayor

ATTEST:



Barb Smith, Town Administrator

APPROVED AS TO FORM:



Michael J. Heaphy, Town Attorney