

SPONSORED BY TRUSTEE

TRUSTEE'S BILL

ORDINANCE NO.

NO. 02-21  
Series of 2002

02-20  
Series of 2002

**TITLE: A BILL FOR AN ORDINANCE AMENDING CHAPTER 8 OF THE TOWN OF HUDSON MUNICIPAL CODE, ENTITLED VEHICLES AND TRAFFIC**

BE IT ORDAINED BY THE BOARD OF TRUSTEES FOR THE TOWN OF HUDSON, COLORADO, THAT:

Section 1. The title of Article 1 of Chapter 8 of the Town of Hudson Municipal Code is hereby amended to read as "Model Traffic Code and Other Traffic and Parking Violations."

Section 2. Section 8-3 of the Town of Hudson Municipal Code is hereby repealed and reenacted to read as follows:

**Sec. 8-3. General Parking Prohibitions; Permit Required.**

(a) Definitions. For purposes of this Section 8-3, the following terms shall have the following meanings:

- (1) *Camper* shall mean and include camping trailers and pickup (slide-in) campers.
- (2) *Camping trailer* shall mean and include a type of trailer or trailer coach, the walls of which are so constructed as to be collapsible and made out of either canvas or similar cloth, or some form of rigid material such as fiberglass, plastic or metal. The walls of such trailer are collapsible while being towed, and are raised or unfolded when the vehicle becomes temporary living quarters and is not being moved.
- (3) *Commercial vehicle* shall mean and include any truck tractor, dump truck, semi-trailer, commercial trailer, tow truck or vehicle equipped to provide towing services, bus or vehicle with an empty weight of ten thousand (10,000) pounds or greater, or any vehicle, regardless of weight, which is used, or normally associated with, the transportation of materials, products, freight, other vehicles, or equipment in furtherance of any commercial activity or used "for hire," except that any passenger vehicle designed to transport no more than nine (9) persons or any pickup truck or van not exceeding twenty-four (24) feet in length shall not be considered commercial vehicles.

- (4) *Mobile home* shall mean and include a dwelling structure built on a steel chassis and fitted with wheels that is intended to be hauled to a usually permanent site.
- (5) *Motor home* shall mean and include recreational structures constructed integrally with a truck or motor van chassis and incapable of being separated therefrom. The truck or motor van chassis may have single or double rear wheels.
- (6) *Motor vehicle* shall mean and include any vehicle classified as a motor vehicle under state laws.
- (7) *Pickup (slide-in) campers* shall mean and include recreational structures designed to be mounted temporarily or permanently in the beds of light trucks with the trucks having either single or double rear wheels and with or without an assisting, extra tag axle and wheels mounted on either the camper chassis or the truck chassis behind the truck's rear wheels.
- (8) *Private property* shall mean and include any real property which is not public property.
- (9) *Public property* shall mean and include real property having its title, ownership, use or possession held by the federal government, this state, any county, municipality as defined in Section 31-1-101(6), C.R.S., or any other governmental entity of this state.
- (10) *Recreational vehicle* shall mean and include a self-contained transportation structure, self-propelled or capable of being towed by a passenger car, station wagon or pickup truck, of such size and weight as not to require any special highway movement permits, and primarily designed or constructed to provide temporary, movable living quarters for recreational, camping or travel use, but not for profit or commercial use. Included as recreational vehicles are trailers, trailer coaches, camping trailers, motor homes, pickup (slide-in) campers, chassis mounts, converted vans, chopped vans, mini-motor homes and fifth wheel trailers of recreational vehicle construction (as opposed to commercial fifth wheel trailers).
- (11) *Semi-trailer* shall mean and include a trailer so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by such motor vehicle.
- (12) *Trailer and trailer-coach* shall mean and include recreational vehicles constructed with integral wheels to make them mobile and intended to be towed by passenger cars, station wagons or pickup trucks, but not including truck tractors or commercial vehicles of any type.

(13) *Truck tractor* shall mean and include a motor vehicle designed and used primarily for drawing a semi-trailer and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

(14) *Vessel* shall mean and include every description of watercraft used or capable of being used as a means of transportation of persons and property on water, other than single chamber air inflated devices or seaplanes.

(b) Prohibitions. It shall be unlawful:

(1) To park any motor vehicle or trailer upon public property where an official sign is posted prohibiting such parking;

(2) To park any commercial vehicle, truck exceeding ten thousand (10,000) pounds empty weight, trailer coach, motor vehicle, or a combination trailer coach and motor vehicle exceeding twenty-five (25) feet in length or eight (8) feet in width on a public right-of-way adjacent to any residential district, unless such vehicle is rendering services to any property located within two hundred (200) feet;

(3) To park any truck tractor, trailer, semi-trailer not attached to a truck tractor, vessel, or any vehicle that is not self-propelled on a public right-of-way adjacent to a residential district for a period of time longer than seventy-two (72) hours unless a permit has been issued pursuant to subsection (c) of this Section 8-3 allowing such vehicle to be parked for a period of up to fourteen (14) days;

(4) To park any trailer, boat, mobile home, motor home, or recreational vehicle on any public highway or street for a period of time longer than seventy-two (72) hours unless a permit has been issued pursuant to subsection (c) of this Section 8-3 allowing such vehicle to be parked for a period of up to fourteen (14) days;

(5) For any person by means of parking or storing any truck tractor, trailer, semi-trailer, vessel, or any other vehicle in or upon any public street or highway in the town to damage or destroy any street, highway, or surface;

(6) For any camper not mounted on a vehicle to be left upon any street or highway within the town; and

(7) To park any vehicle upon any public street, highway, or right-of-way or public property for the purpose of greasing, painting, or repairing such vehicle, except in emergency situations.

(c) Parking permits. In order to receive a permit authorizing a truck tractor, trailer, semi-trailer, vessel, vehicle that is not self-propelled, trailer, boat, mobile home, motor home, or recreational vehicle to be parked on a

public right-of-way for a maximum period of fourteen (14) days, the owner or operator of said truck tractor, trailer, semi-trailer, vessel, or any vehicle that is not self-propelled must file a request with the Town Administrator on a form supplied by the town for such a permit. The request for a permit shall be granted unless the Town Administrator determines as follows:

- (1) The location for which the parking permit is sought causes a traffic hazard based on the location of the parked vehicle and its size;
- (2) The location for which the parking permit is sought causes a hazard to pedestrians based on the location of the parked vehicle and its size; or
- (3) A permit has already been granted for the same vehicle in the same general location, or the Town Administrator determines that the granting of a permit is inconsistent with the use of the public highway and constitutes permanent storage of the vehicle for which a permit is sought.

Section 3. Section 8-10(1), subsection (b), of the Town of Hudson Municipal Code is repealed and reenacted to read as follows:

**Section 8-10. Definitions.**

- (1) *Abandoned motor vehicle* shall mean and include:

(b) Any motor vehicle left unattended on public property, including any portion of a highway, street or public right-of-way within the limits of the town, for a period of seventy-two (72) hours shall be presumed inoperable and abandoned unless the owner or operator thereof has conspicuously affixed thereto a dated notice indicating his or her intention to return or has otherwise notified the town of his or her intention to move the same within a reasonable period of time not to exceed thirty-six (36) hours from the time of discovery by the town.

Section 4. Section 8-11, subsection (2), of the Town of Hudson Municipal Code is repealed and reenacted to read as follows:

**Section 8-11. Abandonment of motor vehicles.**

- (2) Any motor vehicle left unattended on public property, including any portion of a highway, street or public right-of-way within the limits of the town, for a period of seventy-two (72) hours shall be presumed inoperable and abandoned unless the owner or operator thereof has conspicuously affixed thereto a dated notice indicating his or her intention to return or has otherwise notified the town of his or her intention to move the same within a reasonable period of time not to exceed thirty-six (36) hours from the time of discovery by the town. Any such motor vehicle shall immediately be presumed abandoned if it is parked in such a

manner or under such conditions as to interfere with the free movement of vehicular traffic or proper street or highway maintenance.

Section 5. Safety Clause. The Town Board of Trustees hereby finds, determines, and declares that this ordinance is promulgated under the general police power of the Town of Hudson, that it is promulgated for the health, safety, and welfare of the public, and that this ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that the ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 6. Severability. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 7. Effective Date. This ordinance shall become effective thirty (30) days after final publication.

INTRODUCED, READ IN FULL, ADOPTED AND ORDERED PUBLISHED ONCE IN FULL this 20<sup>th</sup> day of November, 2002.



ATTEST:

Judy Larson  
Judy Larson, Town Clerk

TOWN OF HUDSON, COLORADO

Charles E. Rossi  
Charles E. Rossi, Mayor

PASSED ON SECOND AND FINAL READING this 4<sup>th</sup> day of December, 2002.



ATTEST:

Judy Larson  
Judy Larson, Town Clerk

Charles E. Rossi  
Charles E. Rossi, Mayor

APPROVED AS TO FORM

Corey Y. Hoffmann  
Corey Y. Hoffmann, Town Attorney