

SPONSORED BY TRUSTEE

TRUSTEE'S BILL

ORDINANCE NO.

NO. 06-03
Series of 2006

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**TITLE: A BILL FOR AN ORDINANCE ADDING A
NEW SECTION 8-9 TO THE TOWN OF HUDSON
MUNICIPAL CODE CREATING SCHOOL ZONES WITHIN
THE TOWN OF HUDSON**

WHEREAS, the Board of Trustees of the Town of Hudson finds and determines that certain areas of the Town of Hudson constitute a public safety risk based on the combination of high traffic volume and/or dangerous speeds in combination with a large amount of pedestrian traffic in areas near and adjacent to schools ("School Zones"); and

WHEREAS, the Board of Trustees of the Town of Hudson seeks to legislatively implement a system of enhanced penalties for certain violations in the School Zones in order to deter such violations and enhance the health, safety and welfare of the community.

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

Section 1. Section 8-9, entitled School Zones, is hereby added to the Town of Hudson Municipal Code to read as follows:

Sec. 8-9. School Zones.

(a) Legislative Purpose. The Board of Trustees of the Town of Hudson finds and determines that certain areas of the Town of Hudson constitute a public safety risk based on the combination of high traffic volume and/or dangerous speeds in combination with a large amount of pedestrian traffic, in areas near and adjacent to schools ("School Zones") and such zones shall be designated as "School Zones." The Board of Trustees herein implements a system of mandatory enhanced penalties for traffic violations in the School Zones in order to deter such violations and enhance the health, safety and welfare of the community.

(b) Designation of School Zones. The Board of Trustees of the Town of Hudson hereby designates those areas near and adjacent to schools to be School Zones within the meaning of this Section 8-9, and subject to the erection of signage in accordance with subsection (c) of this Section 8-9.

(c) Mandatory Signage. School Zones shall be indicated by signage with the following language: "SCHOOL ZONE: MANDATORY DOUBLE FINE."

(d) Process.

1. If a Summons and Complaint is issued for a moving traffic violation in the School Zone, the Summons and Complaint shall indicate that the alleged violation has occurred in a School Zone.

2. In the event a Summons and Complaint is issued for a moving traffic violation in a School Zone, that violation will be subject to the following enhanced fine structure:

(A) The fine assessed for a moving violation in the School Zone shall be imposed at a rate of twice, or double, the customary fine for the violation had it not occurred in a School Zone.

(B) The fine assessed for a moving violation in the School Zone shall be mandatory, and may not be subject to a plea bargain; provided, however, that the points assessed against a traffic violator's Colorado Driver History may be reduced based on the discretion of the Municipal Prosecutor to offer a plea bargain.

3. In no event may the total civil penalty assessed for a traffic offense in a School Zone exceed four hundred ninety-nine dollars (\$499.00) for a single offense.

Section 2. 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 3. 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 4. Effective Date. This Ordinance shall become effective thirty (30) days after final publication.

INTRODUCED, READ IN FULL, AND ADOPTED this 15th day of February, 2006.



TOWN OF HUDSON, COLORADO

Charles E. Rossi
Charles E. Rossi, Mayor

ATTEST:

Judy Larson
Judy Larson, Town Clerk

PASSED ON SECOND AND FINAL READING this 1st day of March, 2006, AND ORDERED PUBLISHED ONCE IN FULL.



TOWN OF HUDSON, COLORADO

Judith K. Parker
Charles E. Rossi, Mayor

ATTEST:

Judy Larson
Judy Larson, Town Clerk

APPROVED AS TO FORM:

Corey Y. Hoffmann
Corey Y. Hoffmann, Town Attorney