

AN ORDINANCE RESTRICTING THE GROSS WEIGHT OF TRUCKS AND CERTAIN OTHER MOTOR VEHICLES TRAVELING WITHIN THE TOWN OF HUDSON, PURSUANT TO THE PROVISIONS OF 13-5-228, COLORADO REVISED STATUTES, 1963, AS AMENDED; DECLARING THAT AN EMERGENCY EXISTS AND THAT THE ORDINANCE IS NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC HEALTH AND SAFETY OF THE RESIDENTS OF THE TOWN OF HUDSON; PROVIDING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF HUDSON, COUNTY OF WELD, AND STATE OF COLORADO:

Section 1. DEFINITIONS:

- (1) COMMERCIAL VEHICLES - The term "commercial vehicles" means every vehicle designed, used, or maintained primarily for the transportation of property.
- (2) TRUCK - The term "truck" means any motor vehicle which is used for the transportation or delivery of goods with a body built and designed for that purpose.
- (3) BUS - The term "bus" means every motor vehicle designed for carrying more than seven (7) passengers and used for the transportation of persons for compensation.
- (4) SCHOOL BUS - The term "school bus" means every motor vehicle owned by a public or governmental agency and operated for the transportation of children to or from any school, or privately owned and while being operated primarily for the transportation of children to or from any school.
- (5) SEMI-TRAILER - The term "semi trailer" means every vehicle of the trailer type 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 another vehicle.

Section 2. No person shall operate or drive a commercial vehicle, truck, bus or semi-trailer within the coporate limits of the Town of Hudson which has more than a 10,000 pound gross weight.

Section 3. This Ordinance is passed pursuant to the provisions of 13-5-123, Colorado Revised Statutes, 1963, as amended.

Section 4. VALIDITY. If any part or parts of this Ordinance are for any reason held to be invalid, such decision or ruling shall not affect the validity of the remaining portion of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance in each part or parts there-of irrespective of the fact that any one part or parts be declared invalid.

Section 5. The terms and provisions of this Ordinance shall not apply to any vehicle defined herein which is traveling within the Town of Hudson to make a local delivery to a home, residence or business within the Town or to any vehicle which is driven by a resident of the Town of Hudson traveling to or from his home located within the town limits of the Town of Hudson, nor to a school bus as defined herein, not to an authorized emergency vehicle.

Section 6. Every person convicted of a violation of the provisions stated in this Ordinance shall be punished by a fine not to exceed \$300.00, or by imprisonment not to exceed 90 days, or by both such fine and imprisonment,

Section 7. The Town Clerk shall certify the passage of this Ordinance, cause notice of its contents and passage to be posted and make not less than three (3) copies available for inspection by the public during regular business hours.

Section 8. The Board of Trustees of the Town of Hudson declares that an emergency exists and that the provisions of this Ordinance are necessary for the immediate preservation of the health, welfare, and safety of the residents of the Town of Hudson.

ADOPTED, APPROVED AND ORDERED POSTED this 9 day of November, 1978.

Wally P. Sid
MAYOR

ATTEST:

Nancy Waffner
TOWN CLERK