

**TOWN OF MORRISON, COLORADO
BOARD OF TRUSTEES**

ORDINANCE NO. 501

**AN ORDINANCE CONCERNING THE OPERATION OF COMMERCIAL VEHICLES
WITHIN THE TOWN**

WHEREAS, the Town of Morrison is a Colorado home rule municipality operating under a Charter approved by the electorate pursuant to Article XX of the Colorado Constitution and governed by its elected Board of Trustees; and

WHEREAS, the Board of Trustees (the Board) has authority pursuant to the Home Rule Charter and C.R.S. §31-16-101, et seq. to adopt and enforce all ordinances; and

WHEREAS, the Board finds that failure by certain commercial vehicles to apply alternate traction control devices or chains when required causes dangerous delays and closures on roadways within the Town; and

WHEREAS, the Board finds it is necessary to amend Title 6 Chapter 4 of the Morrison Municipal Code to protect public health and safety by amending Title 6 chapter 4 of the Municipal Code to reflect the language of the state statute and allow citation into municipal court.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Morrison, Colorado, that:

Section 1. Municipal Code amended. Title 6 Chapter 4 of the Morrison Municipal Code, entitled “Traction Control Devices” is amended to read (new material **in bold**):

CHAPTER 4

TRACTION CONTROL DEVICES

SECTION:

- 6-4-1: Definitions.
- 6-4-2: Traction Control Devices Required; Penalty
- 6-4-3: Obstructing Roadway; Penalty

6-4-1: DEFINITIONS:

- a) “Alternate traction device” means a device that is approved by the Colorado department of transportation as capable of providing traction comparable to that of metal chains or tire cables under similar conditions.
- b) “Equipped” means that a motor vehicle uses or carries the appropriate traction equipment for icy or snow-packed conditions.

c) "Tire chains" means metal chains consisting of two circular metal loops, one on each side of the tire, connected by no fewer than nine evenly spaced chains across the tire tread **and any other traction devices differing from such metal chains in construction, material, or design but capable of providing traction equal to or exceeding that of such metal chains under similar conditions.**

6-4-2: TRACTION CONTROL DEVICE REQUIRED: Any person operating a commercial vehicle or vehicle combination over thirty-five feet in length on any roadway within the town shall equip said vehicle with tire chains or alternate traction control devices when the requirement for same is posted by signage **including temporary or electronic signs** erected by the Town, County or state of Colorado.

PENALTY: Violation of this section is a traffic offense. Upon conviction in the municipal court, the penalty for the same shall be \$500.

6-4-3: OBSTRUCTING ROADWAY: When any person operating a commercial vehicle or vehicle combination over thirty-five feet in length on any roadway within the town fails to equip said vehicle with **tire** chains or alternate traction control devices as required by Section 6-4-2, and the result of said violation is an incident that causes the closure of a travel lane in one or both directions, it is a violation of this Section.

PENALTY: Violation of this section is a traffic offense. Upon conviction in the municipal court, the penalty for the same shall be \$1500.

Section 2. Severability. If any article, section, paragraph, sentence, clause or phrase of this ordinance, or the standards adopted herein is held to be unconstitutional or invalid for any reason, such decision will not affect the validity or constitutionality of the remaining portions of this ordinance. The Board of Trustees hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part or parts are declared unconstitutional or invalid.

Section 3. Effective Date. This ordinance shall take effect fifteen (15) days after adoption and publication as provided by Section 3.14 of the Home Rule Charter.

INTRODUCED, READ, PASSED AND ADOPTED this ____ day of _____, 2020, by a vote of ____ ayes and ____ nays.

TOWN OF MORRISON:

Sean K. Forey, Mayor

ATTEST:

Lyndsey Paavilainen, Town Clerk