

**MODEL TRAFFIC CODE
(2003 EDITION AMENDMENT)**

ORDINANCE NO. 2005-1

**ARAPAHOE COUNTY, COLORADO
ORDINANCE NO. 2005-1**

AN ORDINANCE TO AMEND ORDINANCE NO. 99-1 TO EXPAND THE APPLICABILITY OF AND ENFORCEMENT OF THE "2003 EDITION OF THE "MODEL TRAFFIC CODE FOR COLORADO MUNICIPALITIES", AS ADOPTED BY REFERENCE BY THE BOARD OF COUNTY COMMISSIONERS, ARAPAHOE COUNTY, INTO INCORPORATED MUNICIPALITIES WITH THEIR CONSENT AND TO REPEAL ORDINANCE NO. 2001-1

WHEREAS, pursuant to COLO. REV. STAT. § 42-4-110(1)(2004), the Board of County Commissioners of Arapahoe County has the power to enact, adopt, and enforce traffic regulations; and

WHEREAS, pursuant to COLO. REV. STAT. § 42-1-102 (48)(2004), a county is defined as a "local authority" having the authority to adopt local police regulations under the constitution and laws of the State of Colorado; and

WHEREAS, pursuant to COLO. REV. STAT. § 30-15-401(1)(h)(2004), the County can control and regulate the movement and parking of vehicles and motor vehicles; and

WHEREAS, pursuant to COLO. REV. STAT. § 30-15-401(8)(2004), a municipality can consent to the application of such a county ordinance to the municipality, and such ordinance shall be uniform within the municipality and the applicable unincorporated areas of the County; and

WHEREAS, pursuant to COLO. REV. STAT. § 42-4-110 (1) (b)(2004), local authorities may adopt by reference all or any part of a model traffic code, which embodies the rules of the road and vehicle requirements set forth in COLO. REV. STAT. § 42-4-110 (2004) and § 42-4-111 (2004), except in case of state highways, any such additional regulations shall have the approval of the Colorado Department of Transportation.

WHEREAS, pursuant to COLO. REV. STAT. § 42-4-110(1)(2004) and § 30-15-401(1)(h)(2004), the Board of County Commissioners of the County of Arapahoe, by the adoption of Resolution No. 050180 on March 22, 2005, has adopted by reference the 2003 Edition of the "Model Traffic Code for Colorado Municipalities" as Ordinance No. 99-1; and

WHEREAS, the Board of County Commissioners of the County of Arapahoe wishes to amend said Ordinance No. 99-1, Section V, Application, to include any incorporated municipality that consents that the Ordinance shall apply within said municipality; and

WHEREAS, the Board of County Commissioners of the County of Arapahoe would like to repeal Ordinance No. 2001-1 so that Ordinance No. 99-1, as adopted on March 22, 2005 and as hereby amended, will be the sole Ordinance relating to the adoption of the Model Traffic Code,

WHEREAS, it is the opinion of the Board of County Commissioners of Arapahoe County that in order to preserve the public peace, health, safety and welfare of the citizens of unincorporated and incorporated Arapahoe County, the Board should take the following action:

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Arapahoe County, Colorado as follows:

Section V, Application of Ordinance No. 99-1 is hereby amended as follows:

SECTION V: APPLICATION

This Ordinance shall apply to every street, alley, sidewalk area, driveway, park and to every other public way or public place or public parking area within the unincorporated areas of Arapahoe County, Colorado as well as within any incorporated municipality in Arapahoe County, Colorado that consents that this Ordinance shall apply within said municipality, pursuant to COLO. REV. STAT. § 30-15-401(8)(2004).

All other parts and remaining sections of Ordinance No. 99-1, as adopted on March 22, 2005, shall remain unchanged and in full force and effect as adopted.

BE IT FURTHER ORDAINED that Ordinance No. 2001-1 is hereby repealed.

This Ordinance shall take effect thirty (30) days after the final publication of its adoption by the Board of County Commissioners.

BOARD OF COUNTY COMMISSIONERS
ARAPAHOE COUNTY, COLORADO

Lynn Myers, Chair

I, Nancy A. Doty, Clerk and Recorder of Arapahoe County and Clerk to the Board of County Commissioners, do hereby attest and certify that the Ordinance was introduced, read and ordered published at a regular meeting of the Board of County Commissioners on the 14th day of June, 2005. At a Public Hearing held on the 5th day of July, 2005, the Ordinance was taken under advisement. The Ordinance was adopted, approved and ordered published as adopted on July 5, 2005.

ATTEST:

NANCY A. DOTY, CLERK TO THE BOARD

BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS
ARAPAHOE COUNTY, COLORADO

INTRODUCED, READ AND ORDERED PUBLISHED ON THE 14th day of June, 2005
at a regular meeting of the Board of County Commissioners.

Date of initial publication: June 23, 2005.

TAKEN UNDER ADVISEMENT AFTER PUBLIC COMMENT, EVIDENCE AND
TESTIMONY AT A PUBLIC HEARING HELD ON THE 5th day of July, 2005.

ADOPTED, APPROVED AND ORDERED PUBLISHED AS ADOPTED ON the 5th
day of July, 2005.

Date of publication after adoption: July 14, 2005.


NANCY A. DOTY, CLERK TO THE BOARD

