

**ORDINANCE NO. 39B**

**TITLE: AN ORDINANCE ADOPTING BY REFERENCE THE "COMMON CODE, TITLE 42 AND RELATED LAWS 2009" AS PUBLISHED BY THE COLORADO STATE PATROL FOR THE VIOLATIONS OF THE 2003 MODEL TRAFFIC CODE AS ADOPTED BY ORDINANCE NO. 24 B AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.**

**WHEREAS**, the Town of Stratton (the "Town") is a municipal corporation and body politic, organized under the laws of the State of Colorado and possessing the maximum powers, authority, and privileges to which it is entitled under Colorado law;

**WHEREAS**, Section 31-15-103, C.R.S., authorizes the Board of Trustees of the Town of Stratton, (the "Board") to make and publish ordinances which are necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the morals, order, comfort and convenience of the Town and the inhabitants thereof;

**WHEREAS**, Section 31-15-401, C.R.S., authorizes the Board to enact regulations made pursuant to the general police powers granted to the Board.

**WHEREAS**, the Town determines to set the fines for the violations of the 2003 edition of the Model Traffic Code as adopted by the Town of Stratton by Ordinance No. 24B, and all subsequent amendments thereto;

**WHEREAS**, the Town determines that in the interests of efficiency that the fines for such violations shall be as set forth by the corresponding state statute, as may be amended from time to time by the state legislature;

**WHEREAS**, the Town determines that the compilation published by the Colorado State Patrol each year is the most efficient and comprehensive list of such fines.

**BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF STRATTON COLORADO:**

**Section 1. Adoption.** Pursuant to parts 1 and 2 of article 16 of title 31, C.R.S., there is hereby adopted by reference the "Common Code, Title 42 and Related Laws 2009" ("Code") as published by the Colorado State Patrol. One (1) copy of the Code adopted herein is now filed in the office of the Clerk of the Town of Stratton Colorado, and may be inspected during regular business hours.

**Section 2. Deletions.** The violations listed in the Code which are violations of state statute, but are not violations of the Model Traffic Code as currently adopted by the Town are deleted and are excluded from this Ordinance.

**Section 3. Repeal.** All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution

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or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this ordinance.

**Section 4. Validity.** If any part or parts of this ordinance are for any reason held to be invalid such decision shall not affect the validity of the remaining portions of this ordinance. The Town Council hereby declares that it would have passed this ordinance and each part or parts thereof, irrespective of the fact that any one part or parts be declared invalid.

**Section 5. Certification.** The Town Clerk shall certify to the passage of this ordinance and make not less than one copy of the adopted Code available for inspection by the public during regular business hours.

**Section 6. Adoption and Effective Date.** Pursuant to Section 31-16-201, C.R.S., et seq., the municipality shall introduce this Ordinance, schedule a public hearing and publish notice of the hearing regarding this proposed Ordinance in the "Stratton Spotlight" once at least 15 days prior to the hearing and once at least 8 days prior to the hearing. Upon the completion of the public hearing and passage of this Ordinance, then this Ordinance shall be published in full in the "Stratton Spotlight". This Ordinance shall be effective 30 days after publication.

INTRODUCED this 11<sup>th</sup> day of MARCH, 2010.

READ, ADOPTED AFTER A PUBLIC HEARING AND ORDERED PUBLISHED this 9<sup>th</sup> day of APRIL, 2010.



*Richard C Mann*

RICHARD MANN, Mayor Pro Tem

TOWN OF STRATTON

*Paula McConnell*

PAULA McCONNELL, Town Clerk