

ORDINANCE NO. 1
SERIES OF 1955

AN ORDINANCE FOR THE REGULATION OF TRAFFIC UPON THE PUBLIC STREETS OF THE TOWN OF FLEMING, ADOPTING BY REFERENCE "THE MODEL TRAFFIC ORDINANCE FOR COLORADO MUNICIPALITIES" AND REPEALING ALL OTHER ORDINANCES AND SECTIONS OF ORDINANCES IN CONFLICT THEREWITH.

Be It Ordained by the Board of Trustees of the Town of Fleming, Colorado:

SECTION 1. Pursuant to the authority conferred by Section 2, Chapter 242, Colorado Session laws of 1949, there is hereby adopted as the traffic ordinance for the Town of Fleming, "The Model Traffic Ordinance for Colorado Municipalities";

SECTION 2. "The Model Traffic Ordinance for Colorado Municipalities" is published by the Colorado Highway Safety Council, State Capitol Building, Denver, Colorado, for the purpose of providing uniform traffic laws for municipalities throughout the State of Colorado. The model ordinance includes comprehensive provisions covering:

A. RULES OF THE ROAD, including rules for drivers, pedestrians, and operators of bicycles; and

B. ENFORCEMENT AND VIOLATIONS, including the policing of accidents and other violations; the establishment of a traffic violations bureau, and traffic administration. It was published in March 1952.

SECTION 3. At least three certified copies of the model ordinance are on file at the office of the Town Clerk and may be inspected during regular business hours. In addition, copies are available for distribution and sale to the public at a price not to exceed fifty two cents a copy.

SECTION 4. The following sections of "The Model Traffic Ordinance for Colorado Municipalities" contain penalty clauses which are herewith set forth in full:

Section 105 (Bicycles)

Every person not a juvenile, as such is defined by the laws of the State of Colorado, found guilty of a violation of any provisions of this article shall be punished by a fine of not more than 25 dollars, or by removal and detention of the license plate from such person's bicycle for a period not to exceed 90 days or by impounding of such person's bicycle for a period not to exceed 90 days.

Section 116 (b) (Driving under the influence of liquor or drugs)

Every person who is found guilty of a violation of this section shall be punished by imprisonment for not more than 90 days or by fine of not more than 300 dollars.

Section 118 (Careless driving)

Every person operating a vehicle upon the streets within this municipality shall drive the same in a careful and prudent manner, having regard for the width, grade, curves, corners, traffic and use of these streets and all other attendant circumstances, so as not to endanger the life, limb or property of any person. Failure to drive in such manner shall constitute careless driving and a violation of this ordinance.

Every person found guilty of careless driving shall be punished by a fine of not more than 300 dollars or by imprisonment for a period of not more than 90 days. Section 119 (Accidents involving death or personal injuries or damage to vehicles)

Any person failing to stop or comply with said requirements under such circumstances shall be guilty of violations of this ordinance and shall upon being found guilty be punished by imprisonment for not more than 90 days or a fine of not more than 300 dollars.

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Section 135 (Penalties)

Unless another penalty is expressly provided herein, every person found guilty of a violation of any provision of this ordinance may be punished by a fine of not more than 300 dollars (\$300.00) or by imprisonment for not more than 90 days.

SECTION 5. All other former traffic ordinances of this municipality are hereby repealed, and all ordinances or parts of ordinances in conflict with or inconsistent with this ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution 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 6. Whereas, in the opinion of the Board of Trustees, an emergency exists and this ordinance is necessary for the immediate preservation of the public peace, health, and safety, therefore this ordinance shall be in full force and effect upon the expiration of five days from and after its final passage and publication.

INTRODUCED AND READ this 7th day of March, A. D. 1955.

RE-READ, ADOPTED AND ORDERED POSTED FOR FINAL PASSAGE this 4th day of April, A. D. 1955.

TOWN OF FLEMING, COLORADO

MAYOR

ATTEST:

TOWN CLERK-RECORDER