

ORDINANCE NO. 18-08

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES,
COLORADO, AMENDING CHAPTER 8 OF THE CASTLE PINES MUNICIPAL CODE
REGARDING LIMITATIONS ON TRUCK TRAFFIC**

WHEREAS, the City of Castle Pines (“City”) is a statutory municipality organized pursuant to Article 4 of Title 31 of the Colorado Revised Statutes; and

WHEREAS, the City is authorized pursuant to Section 42-4-111, C.R.S., to exercise its police powers to regulate traffic and use of roadways within City boundaries, including regulating local movement of traffic and use of local streets; and

WHEREAS, limiting truck traffic on certain roadways serves the purposes of reducing roadway wear and maintenance costs, noise, and pollution in residential areas and protects public health, safety, and welfare; and

WHEREAS, the City Council desires to adopt an ordinance to limit truck traffic on certain roadways as provided below and as shown on **Exhibit A**, attached hereto and incorporated herein by this reference.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO:

Section 1. Article 4, titled “Limitations on Truck Traffic” is hereby added to Chapter 8 of the Castle Pines Municipal Code, immediately ensuing Section 8-3-30, to read as follows:

Sec. 8-4-10. – Purpose.

The purpose of this Article is to protect public health, safety, and welfare and decrease negative impacts from truck traffic on residential areas by reducing roadway wear and maintenance costs, noise, and pollution.

Sec. 8-4-20. – Definitions.

For purposes of this Article 4, the following terms shall have the following meanings:

Emergency Vehicle shall have the meaning set forth in Section 8-2-20 of this Code.

Truck means a motor vehicle with a gross vehicle weight of twenty thousand (20,000) or more pounds, which is designed to transport property. The term includes vehicles 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, which may or may not be motorized. The term also includes road machinery, construction equipment, and any type of tractor that meets the weight limitation in this Section 8-4-10.

Sec. 8-4-30. – Limitation on Truck Traffic.

It is unlawful for any person to operate or cause to be operated a truck on any of the following streets within Castle Pines city limits:

- (1) Buffalo Trail, northbound and southbound;

- (2) Castle Pines Parkway in its entirety as located within City limits, eastbound and westbound; and
- (3) Monarch Boulevard, in its entirety as located within City limits, northbound and southbound.

Sec. 8-4-40. – Exceptions.

This Article 4 of Chapter 8 shall not prohibit:

- (1) The operation of Emergency Vehicles upon any street in the City.
- (2) The operation of trucks making a local delivery to a home, residence, or business within the City.
- (3) The operation of a truck utilized for construction, repairs, or maintenance on any property in the City.

Sec. 8-4-50. – Evidence of Points of Origin and Destination.

Any person operating a truck on the streets listed in Section 8-4-20 herein shall have in his or her possession a log book, delivery slip or other evidence of points of origin and destination to justify the presence of the truck upon such street. Failure to produce evidence of a log book, delivery slip, or other evidence of points of origin and destination shall be deemed prima facie evidence of a violation Section 8-4-30.

Sec. 8-4-60. – Violation; Penalty.

Every person convicted of a violation of the provisions in this Chapter 8, Article 4 shall be subject to the following minimum fines:

- (1) First offense: five hundred dollars (\$500.00)
- (2) Second offense within any twelve (12) consecutive months: seven hundred and fifty dollars (\$750.00)
- (3) Third or subsequent offense within any twelve (12) consecutive months: one thousand dollars (\$1,000.00)

Section 2. Severability. If any section, paragraph, clause, or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance, the intent being that the same are severable.

Section 3. Effective Date. This Ordinance shall take effect and be in force thirty (30) days after publication following final adoption.

INTRODUCED, READ, AND PASSED ON FIRST READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO, THE 13th DAY OF NOVEMBER, 2018.

READ, PASSED, AND ADOPTED ON SECOND READING AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO, THE 11th DAY OF DECEMBER, 2018.



DocuSigned by:
Tera Stave Radloff
Tera Stave Radloff, Mayor

ATTEST:

DocuSigned by:
Tobi Basile
Tobi Basile, City Clerk

Approved as to form:

DocuSigned by:
Linda C. Michow
Linda C. Michow, City Attorney

CERTIFICATION OF PUBLICATION

I hereby attest and certify that the within and foregoing Ordinance was introduced and read on first reading at a noticed public meeting of the Castle Pines City Council on November 13, 2018; published by title only in the *Douglas County News-Press*, together with the statement that “[t]he complete text of all ordinances is available through the City Offices and on the City’s official website”; and finally passed and adopted by the City Council on December 11, 2018 following a duly noticed public meeting and ordered published by title only, with amendments if any, one time in the *Douglas County News-Press* on November 29, 2018.

ATTEST:

DocuSigned by:
Tobi Basile
Tobi Basile, City Clerk

EXHIBIT A

