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ORDINANCE NO. 32

AN ORDINANCE REGULATING STREET TRAFFIC,
PROVIDING PENALTIES FOR THE VIOLATION
THEREOF AND REPEALING ALL ORDINANCES IN
CONFLICT HEREWITH.

BE IT ORDAINED by the Board of Trustees of the Town of
Hillrose, Colorado:

SECTION I - DEFINITIONS.

The words and phrases used in this ordinance shall be
construed as follows:

A. The term "STREET" shall mean every way or place, of
whatever nature, open to the use of the public as a matter of
right for the purposes of vehicular travel. The term "street"
shall not be deemed to include a roadway or driveway upon grounds
owned by private persons.

B. The term "STREET INTERSECTION" shall mean the area
embraced within the prolongation of the lateral curb lines or,
if none, then the lateral boundary lines of two or more streets
which join one another at an angle, whether or not one such
street crosses the other.

C. The term "ALLEY" shall mean any highway not meant
primarily for a street but only as a local accommodation to a
limited neighborhood.

D. The term "CURB" shall mean the lateral boundaries of
that part of the street intended for the use of vehicles.

E. The term "SIDEWALK" shall mean that portion of the
street between the curb lines or the lateral lines of a roadway
and the adjacent property lines, intended for the use of
pedestrians.

F. The term "CROSS WALK" shall mean that portion of a
street ordinarily included within the prolongation or connection
of the lateral lines or sidewalks at intersections, or any
portion of a street distinctly indicated for pedestrian crossing
by lines or other marking on the surface.

G. The term "VEHICLE" shall apply to every device in,
upon, or by which any person or property is or may be transported
or drawn upon a public street, excepting a device moved by human
power or used exclusively upon stationary rails or tracks.

H. The term "PERSON" shall mean every natural person,
firm, co-partnership, association, or corporation.

I. The term "DRIVER", or "OPERATOR", shall apply to
every person who drives, operates, or who is in actual, physical
control of a vehicle upon a street or alley.

J. The term "PARKED" shall apply to a waiting vehicle,
except those stopped to load or unload.

K. The term "TRAFFIC" shall mean pedestrians, ridden or
herded animals, vehicles and other conveyances, either singly or

together, using any street or alley for the purposes of travel.

L. The term "U-TURN" shall mean a complete turn, made for the purpose of reversing the direction of travel of a vehicle along and on the street in which the turn is begun.

M. The term "RIGHT-OF-WAY" shall mean the privilege of immediate use of the streets.

N. The term "BUSINESS DISTRICT" shall mean the territory contiguous to a street when fifty per cent or more of the frontage thereon in any one block is occupied by buildings in use for business.

All remaining territory of the town shall be "RESIDENCE DISTRICT".

SECTION II - SPEED.

A. No person shall drive a vehicle on a street at a speed greater than is reasonable and prudent under the conditions then existing.

B. Where no special hazard exists, the following speeds shall be lawful, but any speed in excess of said limits shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful:

- (1) 25 miles per hour on any street.
- (2) 20 miles per hour when turning a corner or passing through an intersection.
- (3) 15 miles per hour in any alley and no vehicle shall cross any sidewalk when entering or coming out of an alley, driveway, filling station, garage or other building or place at a speed greater than 10 miles per hour.
- (4) On all through State highways, such speed as the State Highway Department and the local authorities shall determine as a reasonable and a safe prima facie speed limit, which shall be effective when appropriate signs, giving notice thereof, are erected at any intersection or other place or part of said through State highway.

C. The fact that the speed of a vehicle is lower than the foregoing prima facie limits shall not relieve the driver from the duty to decrease speed when special hazard exists with respect to pedestrians or other traffic by reason of street, highway, alley, or other conditions, and speed shall be decreased as may be necessary to avoid colliding with any person, vehicle or other conveyance upon entering or emerging from any street, highway or

alley, in compliance with legal requirements and the duties of all persons to use due care.

D. The foregoing provisions of this Section shall not be construed to relieve the plaintiff in any civil action from the burden of proving negligence on the part of the defendant as the proximate cause of an accident.

E. Prima facie speed limitations set forth in this Section shall not apply to authorized emergency vehicles when responding to emergency calls and the drivers thereof sound audible signals, by bell, siren or exhaust whistle. This provision shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard of all persons using the streets, highways or alleys, nor shall it relieve the driver from the consequences of reckless disregard of the safety of others.

SECTION III - DRIVE ON RIGHT SIDE OF STREET.

All vehicles shall be driven in a single file except when passing a vehicle ahead and shall keep to the right of the center of the street. Heavily loaded and slow moving vehicles shall keep, as near as practicable, to the right hand curb, except when the right half of the roadway is closed to traffic while under construction or repair, or upon a street designated and sign-posted for one-way traffic.

SECTION IV - PASSING VEHICLES.

Drivers of vehicles proceeding in opposite directions shall pass each other to the right and each driver shall give to the other at least one-half of the street, as nearly as possible.

The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle, but must not pass any vehicle ahead at a greater speed than in Section II

above permitted, nor without giving adequate, audible warning.

The driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle, on audible signal, and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle. Vehicles shall not continue to travel two abreast but the vehicle on the left shall be held to the duty of advancing beyond or dropping behind the vehicle on the right, as the situation may require.

No vehicle shall be driven to the left side of the center of the highway or street in overtaking and passing another vehicle proceeding in the same direction, unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken.

No vehicle shall be driven to the left side of the center of the street in overtaking and passing another vehicle, or at any other time be driven to the left side of a roadway when approaching within twenty-five (25) feet of or traversing any intersection or railroad grade crossing.

SECTION V - VEHICLES TURNING.

The driver of a vehicle intending to turn at an intersection shall do so as follows:

(a) Both the approach for a right turn and a right turn shall be made as close as practicable to the right hand curb or edge of the street.

(b) Approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof and after entering the intersection, the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered.

(c) U-turns are prohibited at all intersections when

appropriate signs, giving notice thereof, are erected at such intersections.

SECTION VI - STARTING AND SIGNALS ON STOPPING AND TURNING.

A. No driver shall start a vehicle which is stopped, standing or parked, unless and until such movement can be made with reasonable safety.

B. No driver shall turn a vehicle from a direct course upon a highway unless and until such movement can be made with reasonable safety and then only after giving a clearly audible signal, by sounding a horn, if any pedestrian may be affected by such movement, or after giving appropriate signal in the manner hereinafter provided in the event any other vehicle may be affected by such movement.

C. A signal of intention to turn right or left shall be given continuously during the length of the last one hundred (100) feet traveled by the vehicle before turning, regardless of the weather.

D. No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal, in the manner provided herein, to the driver of any vehicle immediately to the rear.

E. The signals herein required shall be given, either by means of the hand or arm or by a signal lamp or signal device of the type approved by the State Highway Department, and all signals herein required to be given by hand or arm shall be given from the left side of the vehicle in the following manner and such signals shall indicate as follows:

- (1) Left hand turn: Hand and arm extended horizontally.
- (2) Right hand turn: Hand and arm extended upward.
- (3) Stop, or decrease of speed: Hand and arm extended downward.

SECTION VII - RIGHT-OF-WAY.

Vehicles approaching or entering intersection:

A. The driver of a vehicle approaching an intersection shall yield the right of way to a vehicle which has entered the intersection from a different direction.

B. When two vehicles enter an intersection from different streets at the same time, the driver of the vehicle on the left shall yield right-of-way to the vehicle on the right.

C. The driver of a vehicle within an intersection and intending to turn to the left shall yield the right-of-way to any vehicle approaching from the opposite direction, which is within the intersection or so close thereto as to constitute an immediate hazard, but said driver, having so yielded and having given a signal when and as required by this ordinance, may make such left turn and the drivers of all other vehicles approaching the intersection from said opposite direction shall yield the right-of-way to the vehicle making the left turn.

D. The driver of a vehicle shall stop at the entrance to a through street or highway and shall yield the right-of-way to other vehicles which have entered the intersection from said through street or highway, or which are approaching so closely on said through street or highway as to constitute an immediate hazard, but said driver having so yielded may proceed and the drivers of all other vehicles approaching the intersection on said through street or highway shall yield the right-of-way to the vehicle so proceeding into or across the through street or highway.

E. The driver of a vehicle shall likewise stop in obedience to a "stop" sign, as required herein, at an intersection where a stop sign is erected at one or more entrances thereto although not a part of a through street or highway and shall proceed cautiously, yielding to vehicles not so obliged to stop which are within the intersection or approaching so closely as to constitute an immediate hazard, but may then proceed.

F. The driver of a vehicle about to enter or cross a street from an alley, private road or driveway, shall stop such vehicle immediately prior to driving onto a sidewalk or into the sidewalk area extending across any alleyway, private roadway or driveway, and shall yield the right-of-way to all vehicles approaching on said street.

G. Upon the immediate approach of an authorized emergency vehicle, when the driver is giving audible signal by siren, exhaust whistle, or bell, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as close as possible to, the right-hand edge or curb of a street or highway clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.

This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the street or highway.

SECTION VIII. PARKING.

A. No motor vehicle shall be left standing at the curb unattended unless the front wheels are turned to the curb and the motor stopped. Two vehicles shall not park or stand side by side parallel to the curb except to load or unload passengers as quickly as possible. Bicycles shall not be considered vehicles under this section. No vehicle shall be parked or permitted to remain standing in any alley except while loading or unloading.

B. In the Business District all vehicles shall park either between the lines marked on the curb or street, or shall stand at an angle of forty-five (45) degrees, with the right front wheel as close to the curb as practicable and the space between the rear right wheel and curb to allow another vehicle to stand between

said right wheel and the curb. No motor vehicle shall be left standing in the line of traffic in the business district except temporarily and when there shall be an attendant therein fully competent to move said vehicle, provided, however, that no such vehicle shall, in any event, be so left standing in the line of traffic if there is an available place to park at the curb at or near said point. In the Residence District all vehicles shall be parked parallel to and within one foot of the curb.

C. No vehicle shall travel over any curb, parking or sidewalk except at an alley or public or private driveway. No repairs shall be made upon a vehicle while standing on any crosswalk or sidewalk or upon the main traveled portion of any street or alley except necessary emergency repairs to remove the same.

D. No vehicle shall be habitually parked over-night on any public street.

E. No person shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control device, in any of the following places:

1. On a sidewalk;
2. In front of a public or private driveway;
3. Within an intersection;
4. Within 5 feet of a fire hydrant;
5. On a crosswalk;
6. Within 20 feet of a crosswalk at an intersection;
7. Within 30 feet upon the approach of any flashing beacon, stop sign or traffic-control signal located at the side of a roadway;
8. Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless the traffic authority indicates a different length by signs or markings;
9. Within 50 feet of the nearest rail of a railroad;

10. Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of said entrance when properly sign-posted;

11. Alongside or opposite any street excavation or obstruction when such stopping, standing, or parking would obstruct traffic;

12. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;

13. Upon any bridge or other elevated structure upon a highway or within a highway tunnel;

14. At any place where official signs prohibit stopping.

F. No person shall move a vehicle not owned by such person into any such prohibited area of away from a curb such distance as is unlawful.

G. The Board of Trustees may, by resolution, regulate the standing or parking of vehicles, regulate or prohibit processions or assemblages on the highways, designate any highway as a through highway and require that all vehicles stop before entering or crossing the same, or designate any intersection as a stop intersection and require all vehicles to stop at one or more entrances to such intersections, and declare "Safety Zones", "Quiet Zones", "No Parking Zones", "Street Crossings" and other zones and traffic regulations, and make such traffic rules and regulations as they may deem necessary for the public welfare. No person shall willfully deface, injure, move or interfere with any such sign or signal or other traffic sign or signal. Every person in charge of a vehicle shall obey all such zone regulations.

H. Before backing a vehicle from a curb or any other point, the driver thereof shall give due warning and, while backing shall exercise vigilance not to endanger those coming from behind. No vehicle shall be driven backward farther than is necessary to avoid accident or to get into position to park or proceed.

No vehicle shall remain backed to the curb except for actual loading or unloading, and then only as long as reasonably necessary therefor.

SECTION IX - DRIVING REGULATIONS.

No person shall drive or operate any vehicle upon the streets or highways unless such person is sixteen years of age and has a valid license as an operator or chauffeur, as provided by the laws of the State of Colorado, and

No owner, or person having in his charge or control any vehicle, shall permit any person not licensed as an operator or chauffeur under the laws of the State of Colorado to operate such vehicle.

SECTION X - DRIVING WHILE INTOXICATED.

No person shall drive or operate any vehicle while in any degree under the influence of intoxicating liquor or exhilarating or stupefying drugs. Any person who shall violate this section shall, upon conviction, be fined in the sum of not less than \$25.00 nor more than \$200.00 or imprisoned for not more than thirty days, or punished by both such fine and imprisonment; for a second violation of this section within two years from the date of the first conviction, such person shall be fined not less than \$50.00 nor more than \$300.00 or imprisoned for not more than ninety days, or punished by both such fine and imprisonment.

SECTION XI - MISCELLANEOUS RULES.

A. No vehicle shall be driven over any unprotected hose of a fire department when laid down on any street, private driveway, alley, or highway, to be used at any fire or alarm of fire, or practice runs, without the consent of the fire department official in command.

B. No person shall throw upon any street or highway any glass bottle, glass, stones, nails, tacks, wire, cans, or any other substance likely to injure any person, animal, or vehicle upon such street or highway.

C. Any person who drops, or permits to be dropped or thrown upon any street or highway or structure any destructive or injurious material or lighted or burning substance shall immediately remove the same or cause it to be removed.

D. Any person removing a wrecked or damaged vehicle from a street or highway shall remove any glass or other injurious substance dropped upon the street or highway from such vehicle.

E. No person shall excavate a ditch or other aqueduct or construct any flume, or pipe line, railway, or approach to a street or highway without written consent of the authority responsible for the maintenance of that ^{street or} highway.

F. No vehicle shall be driven or moved, nor shall the owner cause or permit to be driven or moved on any street any vehicle or combination of vehicles which is in such unsafe condition as to endanger any person, or which does not contain those parts or is not at all times equipped with such lamps and other equipment in proper condition and adjustment as required by the laws of the State of Colorado, or which is equipped in any manner in violation of the laws of the State of Colorado pertaining thereto.

G. No unauthorized person shall tamper with, enter upon, start in motion or aid another in so doing, any vehicle on the street, provided the police or fire department or a driver of an adjacent vehicle may move another vehicle when necessary.

H. No person shall hitch onto, cling to or climb upon or occupy any moving vehicle, either with or without the consent of the driver thereof, except when occupying a regularly designed passenger seat or, if said vehicle is a truck or wagon, said person shall be in a seat or wholly within the body of said truck or wagon. No motor vehicle shall tow more than one other vehicle at one time, and the connecting shall not exceed 16 feet in length between said vehicles.

I. No motor vehicle, truck, caterpillar, or other tractor,

shall be operated on any paved or hard surfaced street with lugs attached to the wheels, or so operating as to injure the paving surface. No person shall place upon any street nails, tacks, glass, crockery, bottles, thorns or other articles likely to injure the tires of vehicles.

SECTION XII - BICYCLES AND MOTORCYCLES..

A. Bicycles shall be parked at and parallel to the curb. Drivers of vehicles shall exercise care not to damage bicycles so parked at the curb or injure persons riding bicycles. Bicycle riders shall keep as close to the right hand curb as practicable day and night, shall observe and give the signals herein provided for vehicles, and shall not stop in any line of nor carelessly or maliciously interfere with traffic. Bicycles and motorcycles at night shall display a white light at the front and a red light or red reflecting prism at the rear, and shall be provided with one adequate brake in good condition.

B. No person shall ride any bicycle along or upon any sidewalk in the town. No person shall immoderately, carelessly or recklessly ride any bicycle upon the streets or any public place, or carry any additional person thereon and no additional person shall ride thereon, unless such vehicle is provided with two seats. No bicycle, motorcycle, or toy vehicle rider shall hitch onto, cling or hold to any other vehicle on the street while same is in motion.

C. No person shall travel upon roller skates or any coaster, wagon, sled, toy vehicle or similar device upon any street, except over the crosswalk thereof.

SECTION XIII - PEDESTRIANS.

At street intersections pedestrians shall have the right-of-way over vehicles and all drivers of vehicles shall exercise care not to injure them. At all intersections in the Business District pedestrians shall pass over only such portions of the

street as are marked as safety zones or crosswalks, or included within the lines of the sidewalk projected, and shall not cross any such intersection in a diagonal direction. Pedestrians shall use vigilance and shall yield the right-of-way to all vehicles on said street while crossing a street at any other place than on a crosswalk. On sidewalks, crosswalks or passageways, pedestrians shall keep to the right, but in a roadway having no defined sidewalk, they shall keep to the left side so as to have a clear view of approaching traffic. Pedestrians shall observe approaching traffic before stepping from the curb and while crossing shall not carelessly or maliciously interfere with the passage of vehicles.

SECTION XIV - VEHICULAR NUMBER.

A. Motor vehicles, while on the streets, shall display the number plates assigned to them by the State of Colorado, one on the front, the other on the rear of said vehicle, securely fastened; provided, cars carrying dealer's, guest, or special permits, are required to have only one such plate and provided further, the motor vehicle of a non-resident shall display the number plate assigned to it by the laws of his place of residence, as required by the laws of Colorado. Identification marks upon such plates shall be kept clean and legible at all times. Every person owning a motor vehicle shall have a certificate of registration therefor accessible upon his person or in the vehicle.

B. It shall be unlawful for any person to drive or use any licensed motor vehicle upon any street after the transfer of ownership thereof with the license plate issued to the vendor attached thereto, or to drive or use any motor vehicle upon the streets with any number plates thereon other than those lawfully assigned to such vehicle.

SECTION XV - POLICE CONTROL OF TRAFFIC.

For public safety and convenience, or under any unusual circumstances, the Town Marshall is authorized to direct, control,

restrict, regulate and, when necessary, temporarily to divert or exclude pedestrians, animal or vehicle traffic and parking in streets and alleys and to adopt and enforce temporary traffic regulations with regard thereto. No person shall refuse or fail to comply with any lawful order, signal or direction of a traffic or police officer.

SECTION XVI - PENALTY.

All persons, companies and corporations shall obey the foregoing traffic rules and any other regulations made pursuant thereto and any who violate any of the provisions of this ordinance, other than those sections providing a specified penalty, shall, upon conviction thereof, for a first offense be fined not more than \$100.00 or be imprisoned for not more than 30 days, or both such fine and imprisonment, and for a second offense within two years, shall be fined not more than \$300.00 or imprisoned not more than 90 days, or both such fine and imprisonment, and shall pay all costs and expenses of prosecution. And for any second offense, the police magistrate may, in addition to the penalty aforesaid, enter an order upon his docket requiring any such offender to refrain from driving any vehicle within the corporate limits of the Town of Hillrose for any period not exceeding six (6) months, and any person who shall drive any vehicle contrary to any such order so entered by the police magistrate shall be deemed guilty of a violation of this ordinance and shall be adjudged to pay the same penalty therefor as herein provided for punishment of a second offense.

SECTION XVII -

All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION XVIII -

This ordinance shall be in full force and effect from and after five (5) days after the publication thereof according to law.

Introduced and read on the 1st day of October,
1951.

Passed, adopted and approved this 5th day of November,
1951.

W. Schluter
Mayor.

Attest:

W. Wesner
Town Clerk.