

1 CITY OF LITTLETON, COLORADO

2
3 ORDINANCE NO. 13

4
5 Series, 2020

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7
8 AN ORDINANCE OF THE CITY OF LITTLETON,
9 COLORADO, AMENDING SECTIONS 9-1-1 PERTAINING
10 TO THE MODEL TRAFFIC CODE AND 9-1-12
11 PERTAINING TO TRAFFIC VIOLATIONS OF THE
12 LITTLETON MUNICIPAL CODE
13

14 WHEREAS, the City Council of the City of Littleton, Colorado, deems it in the
15 best interest of the City to update the law for regulation of traffic requirements by updating from
16 the 2010 Model Traffic Code to the 2020 Model Traffic Code to remain consistent with statewide
17 regulations.

18
19 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
20 THE CITY OF LITTLETON, COLORADO, THAT:

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22 Section 1: Section 9-1-1 of the Littleton City Code is hereby amended as follows:

23 **9-1-1: ADOPTION OF MODEL TRAFFIC CODE:**

24 Pursuant to section 44 of the charter of the city, there is hereby adopted by reference the 2010
25 2020 edition of the "mModel tTraffic eCode" for Colorado municipalities, promulgated and
26 published by the Colorado dDepartment of tTransportation staff, tTraffic Engineering and
27 sSafety projects bBranch, 4201 East Arkansas Avenue 2829 W HOWARD PLACE, DENVER,
28 CO 80222 80204. The subject matter of the mModel tTraffic eCode relates primarily to
29 comprehensive traffic control regulations for the city. The purpose of this chapter and the code
30 adopted herein is to provide a system of traffic regulations consistent with state law and
31 generally conforming to similar regulations throughout the state and the nation. Three (3) copies
32 of the mModel tTraffic eCode adopted herein are now filed in the office of the clerk of the city,
33 2255 West Berry Avenue, Littleton, CO 80165, and may be inspected during regular business
34 hours. ~~The 2010 edition of the model traffic code is adopted as if set out at length, save and~~
35 ~~except for additions, amendments, and modifications as particularly described in this chapter, or~~
36 ~~as may be amended.~~

37 (A) Deletions: The 2010 2020 edition of the mModel tTraffic eCode is adopted as if set out
38 at length save and except the following articles and/or sections which are declared to be
39 inapplicable to this municipality and are therefore expressly deleted:

40
41 1701 and 1702 and any other enumerated reference to penalties throughout the mModel
42 tTraffic eCode.

43 Section 2: Section 9-1-12 of the Littleton City Code is hereby amended as follows:

44
45 **9-1-12: TRAFFIC VIOLATIONS:**
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1 (A) Civil Matters: All traffic infractions are deemed and shall constitute civil matters and are not
2 criminal violations.

3 (B) Jury Trial; Penalty: In accordance with Colorado Revised Statutes section 13-10-114 and
4 rule 223, municipal court rules of procedure a defendant brought to trial solely upon a traffic
5 infraction shall have no right to a trial by jury. Trials of all traffic infractions shall be to the
6 court. Any defendant charged with both a traffic infraction and traffic offense shall have a
7 right to a trial by jury on all violations contained within the summons. No defendant found
8 liable for a traffic infraction shall be punished by imprisonment for such traffic infraction.

9 (C) Failure To Appear: In no event should a bench warrant be issued for the arrest of any person
10 who fails to appear for a hearing on a traffic infraction. Any failure to appear shall result in
11 the entry of an outstanding judgment against such person.

12 (D) Definitions:

13 TRAFFIC INFRACTION: Every violation of any provision of this chapter relating to traffic or
14 any provision of the model traffic code, as adopted in section [9-1-1](#) of this chapter or amended
15 by the city, except those traffic violations defined as traffic offenses.

16
17 TRAFFIC OFFENSE: The following offenses as set forth in this chapter or in article I of the
18 model traffic code as adopted and amended by the city:

19 1. Sec. 1903: Stopping For School Buses.

20 2. Secs. 1101, 1102, 1103: Basic [Speed] Rule--decrease of speed limits--increase of speed limits
21 (only where the speed alleged is greater than 24 miles per hour over the posted speed limit).

22 3. Sec. 1105: Speed Contests.

23 4. Sec. 1401: Reckless Driving.

24 5. Sec. 1402: Careless Driving.

25 6. Sec. 509: Vehicles Weighed, Excess Removed.

26 7. Sec. 233: Alteration Of Suspension System.

27 8. Sec. 1413: Eluding Or Attempting To Elude Police Officer.

28 9. Sec. 1409: Compulsory Insurance.

29 10. Sec. 107: Obedience To Police Officers.

1 11. Sec. 235: Minimum Standards For Commercial Vehicles.

2 TRAFFIC VIOLATION: Any violation of this chapter, whether or not such violation is a traffic
3 infraction or traffic offense. (Ord. 5, Series of 2009)

4
5 (E) Penalties: The following penalties, as provided by section [1-4-1](#) of this code, shall apply to
6 all traffic violations:

7 1. It shall be unlawful for any person to violate any of the provisions in this chapter.

8 2. Traffic infractions shall be punishable by a fine not to exceed one thousand dollars
9 (\$1,000.00).

10 3. Traffic offenses shall be punishable by a fine not to exceed ~~one~~ TWO thousand SIX
11 HUNDRED FIFTY dollars (~~\$1,000.00~~(\$2,650.00), or by imprisonment not to exceed THREE
12 HUNDRED SIXTY-FOUR (364) DAYS ~~one year~~, or by such fine and imprisonment.

13

14 **Section 3:** Severability. If any part, section, subsection, sentence, clause or
15 phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the
16 validity of the remaining sections of this ordinance. The City Council hereby declares that it would
17 have passed this ordinance, including each part, section, subsection, sentence, clause or phrase
18 hereof, irrespective of the fact that one or more parts, sections, subsections, sentences, clauses or
19 phrases may be declared invalid.

20

21 **Section 4:** Repealer. All ordinances or resolutions, or parts thereof, in conflict
22 with this ordinance are hereby repealed, provided that this repealer shall not repeal the repealer
23 clauses of such ordinance nor revive any ordinance thereby.

24

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26 INTRODUCED AS A BILL at a regularly scheduled meeting of the City Council

27 of the City of Littleton on the 3rd day of March, 2020, passed on first reading by a vote of 6 FOR

28 and 0 AGAINST; and ordered published by posting at Littleton Center, Bemis Library, the

29 Municipal Courthouse and on the City of Littleton Website.

30

31 PUBLIC HEARING on the Ordinance to take place on the 17th day of March¹,
32 2020, in the Council Chamber², Littleton Center, 2255 West Berry Avenue, Littleton, Colorado,
33 at the hour of 6:30 p.m., or as soon thereafter as it may be heard.

34

35 PASSED on second and final reading, following public hearing, by a vote of _____FOR
36 and _____ AGAINST on the 17th day of March, 2020 and ordered published by posting at Littleton
37 Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

38 ATTEST:

39 _____
40 Colleen L. Norton
41 CITY CLERK

Jerry Valdes
MAYOR

42
43 _____
44 Reid Betzing
45 CITY ATTORNEY

46
47



1 Public Hearing rescheduled to May 5, 2020 due to COVID-19 closures

2 Due to COVID19, the City of Littleton is providing virtual coverage of city council meetings to protect the health of citizens, council members and staff. Meetings will not be held in the council chamber until further notice.