

ORDINANCE NO. 2-1989

ARCHULETA COUNTY, COLORADO

AN ORDINANCE REGULATING PARKING OF COMMERCIAL VEHICLES IN
RESIDENTIAL SUBDIVISIONS IN ARCHULETA COUNTY, COLORADO

Be it ordained by the Board of County Commissioners of the
County of Archuleta, State of Colorado, as follows:

SECTION 1.00 TITLE

1.01 This Ordinance shall be known as the Archuleta County
Residential Subdivision Parking Ordinance.

SECTION 2.00 PURPOSE

2.01 This Ordinance is for the purpose of controlling and
regulating the parking of commercial motor vehicles in
residential subdivisions.

SECTION 3.00 AUTHORITY

3.01 The authority of the Board of County Commissioners of
Archuleta County, Colorado to adopt ordinances to control and
regulate the parking of motor vehicles on public property derives
from Colorado Revised Statute Section 30-15-401 (i)(h) and said
section is specifically incorporated herein by reference and
shall not be limited by any language contained in this Ordinance.

SECTION 4.00 COMMERCIAL PARKING REGULATIONS ESTABLISHED

4.01 The Board of County commissioners of Archuleta County,
Colorado hereby controls and regulates the parking of commercial
vehicles in residential subdivisions as follows:

4.01(a) Definition

Vehicle - A vehicle means any device which is capable of
moving itself, or of being moved, from place to place upon wheels
or endless tracks.

4.01(b) Definition

Commercial Vehicles - A commercial vehicle is any vehicle
used primarily in the pursuit of a business enterprise.

4.01(c) Definition

Public Property - Public Property shall be defined for
purposes of this Ordinance to be any public road or highway as

platted in a residual subdivision located in Archuleta County, Colorado.

4.01(d) Regulation Established

No commercial vehicles may park on public property located within a residential subdivision as platted and located within Archuleta County, Colorado.

4.01(e) Exception

The Board of County Commissioners specifically excepts from the terms of this Ordinance emergency vehicles, and service vehicles who park on public property in the pursuit of their normal functions and business. Provided, however, that said vehicles shall not park more than eight hours at any location.

SECTION 5.00 EFFECTIVE DATE

5.01 This Ordinance shall be effective upon adoption by the Board of County Commissioners of Archuleta County, Colorado after proper legal process pursuant to C.R.S. 30-15-405, through C.R.S. 30-15-407.

SECTION 6.00 ENFORCEMENT

6.01 The Sheriff of Archuleta County, Colorado and duly authorized deputies of said Sheriff shall be charged with the enforcement of this ordinance.

6.02 The officers of the Colorado State Patrol shall have concurrent authority to enforce this Ordinance.

SECTION 7.00 PENALTY

7.01 The summons and complaint issued to persons for the violation of the ordinance shall be filed in the County Court of Archuleta County, Colorado, and the persons so cited shall be tried in said Court. All persons found guilty of violating this ordinance shall be fined an amount not to exceed Three Hundred and No/100 Dollars (\$300.00) in the discretion of the judges of the County Court of Archuleta County, Colorado, plus the costs of Court.

7.02 All fines collected from violation of the provision of this ordinance shall be directed to the Treasurer of Archuleta County, Colorado who shall deposit said sums in the Archuleta

County General Fund.

SECTION 8.00 JURISDICTIONAL AREA

8.01 The provisions of this ordinance shall apply only to platted residential subdivisions located in Archuleta County, Colorado.

SECTION 9.00 CONFLICTS

9.01 This ordinance does not conflict with any statute or provisions thereof of the State of Colorado.

SECTION 10.00 VALIDITY AND SEVERABILITY

10.01 Should any section, clause, sentence or part of this ordinance be adjudged by any Court of competent jurisdiction to be unconstitutional or invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 11.00 EMERGENCY

11.01 In the opinion of the Board of County Commissioners of the County of Archuleta, State of Colorado, an emergency exists for the immediate preservation of the health and safety of the citizens of the County of Archuleta, State of Colorado, therefore this ordinance shall become effective upon final adoption.

Adopted this 13th day of October, 1989.

BOARD OF COUNTY COMMISSIONERS
COUNTY OF ARCHULETA, STATE OF
COLORADO

J. Robert Farnsworth
CHAIRMAN

ATTEST:

Gene Madrid
County Clerk

CERTIFICATION

I, June Madrid, Clerk and Recorder of the County of Archuleta, State of Colorado, do hereby attest and certify that Ordinance No. 2-1989, known as the Archuleta County Residential Subdivision Parking Ordinance, introduced and read to the Board of County Commissioners of the County of Archuleta, State of Colorado, at a regular meeting held on _____, and that ordinance was published in the Pagosa Springs Sun on _____, and that the Board of County Commissioners of the County of Archuleta, State of Colorado, at a regular meeting held on November 13, 1989 had final reading of said ordinance and adopted same at said meeting in accordance with the law.

Certified this 13th day of November, 1989.



JUNE MADRID, CLERK AND RECORDER
County of Archuleta
State of Colorado