ORDINANCE NO. 5-1990

ARCHULETA COUNTY, COLORADO

AN ORDINANCE REGULATING THE SPEED OF VEHICLES IN THE PAGOSA LAKES 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 Pagosa Lakes Speed Ordinance.

SECTION 2.00 PURPOSE

2.01 This Ordinance is for the purpose of controlling and regulating the speed of motor vehicles in the Pagosa Lakes 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 speed of motor vehicles on public property derives from Colorado Revised Statute Section 42-4-1002 and 30-15-401(h) said section is specifically incorporated herein by reference and shall not be limited by any language contained in this Ordinance.

SECTION 4.00 PAGOSA LAKES REGULATIONS ESTABLISHED

4.01 The Board of County commissioners of Archuleta County, Colorado hereby controls and regulates the speed of motor vehicles in the Pagosa Lakes 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

Public Property - Public Property shall be defined for purposes of this Ordinance to be any public road or highway as platted in a residential or commercial subdivision located in Pagosa Lakes Subdivision, Archuleta County, Colorado.

4.01 (c) Speed Limits Established

I. The following roads in the Pagosa Lakes Subdivision as designated shall have speed limit of twenty-five (25) miles per hour:

i. Park avenue from Carlee Place to Vista Boulevard.
ii. Village Drive
iii. North Pagosa Boulevard from U.S. Highway 160 to Lakeside Drive
iv. Carlee Place to Park Avenue
v. Davis Cup Drive
vi. Talisman Drive
vii. Bastile Drive
viii. Pinion Causeway
ix. Pines Club Drive
x. Lakeside Drive from North Pagosa Boulevard to Park Avenue

II. The following roads in the Pagosa Lakes Subdivision, as designated shall have a speed limit of thirty-five (35) miles per hour:

i. North Pagosa Boulevard from Lakeside Drive to the point on North Pagosa Boulevard Divides into two alternating direction lanes
ii. Meadows Drive from U.S. Highway 160 to Buttress Drive.
iii. South Pagosa Boulevard from U.S. Highway 160 to Buttress Drive.

III. The following roads in the Pagosa Lakes Subdivision,as designated shall have a speed limit of thirty (30) miles per hour

i. All roads located in the Pagosa Lakes subdivision which have not had speed limits established in sections above.

4.01 (d) Exception

I. The Board of County Commissioners specifically excepts emergency vehicles from the terms of this Ordinance.

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 the Pagosa Lakes 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 30th day of ~~October~~ November, 1990.

BOARD OF COUNTY COMMISSIONERS
COUNTY OF ARCHULETA, STATE OF
COLORADO

CHAIRMAN

ATTEST

June 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. 5-1990, 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 October 31, 1990, and that ordinance was published in the Pagosa Springs, Sun on November 8, 1990, and that the Board of County Commissioners of the County of Archuleta, State of Colorado, at a Regular meeting held on November 30, 1990 had final reading of said ordinance and adopted same at said meeting in accordance with the law.

Certified this 30th day of November, 1990.

June Madrid

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