



## ORDINANCE NO. 14

### AN ORDINANCE REGULATING THE PARKING ON AND BLOCKING OF CLEAR CREEK COUNTY ROADWAYS AND ROAD RIGHTS-OF-WAY

**WHEREAS**, pursuant to C.R.S. § 30-15-401(1)(h), the Board of County Commissioners has the power to regulate movement and parking of vehicles on public property; and

**WHEREAS**, pursuant to C.R.S. § 30-11-107(1)(a), the Board of County Commissioners of Clear Creek County has the power to make such orders concerning property belonging to the County as it may deem expedient, and to perform such duties respecting County roads as may be required by law; and

**WHEREAS**, C.R.S. § 42-4-1803(2), the Clear Creek County Sheriffs Office and any deputy sheriff has authority to remove by towing any unattended motor vehicle obstructing traffic or county road maintenance; and

**WHEREAS**, the Board adopted Ordinance No. 5, An Ordinance Regulating The Parking On And Blocking Of Clear Creek County Roadways And Road Rights-Of-Way on May 23, 2000, to set forth an orderly procedure to regulate parking of vehicles on county roads, and road right-of-ways; and

**WHEREAS**, it is the desire of the Board of County Commissioners of Clear Creek County to revise Ordinance No. 5 to reflect changed circumstances; and

**WHEREAS**, the Board of County Commissioners, pursuant to public notice published 17 May 2000, held a public hearing on 2 May 2000 and continued said hearing on 9 May, 23 May, and 20 June 2000 to consider amending Ordinance #0-84-2A "Regulating Parking on County Maintained Roadways".

**NOW, THEREFORE BE IT ORDAINED** that the Board of Commissioners of Clear Creek County hereby amends and restates Ordinance No. 5, now numbered No. 14, as follows: approves the following:

#### I. PARKING.

##### A. DEFINITIONS

1. County Roadway: For purposes of this Ordinance, the "County Roadway" is defined as follows:
  - a. The road surface and drainage features of County roads.
  - b. Any platted right-of-way.
  - c. Any public right-of-way.



- d. All areas within a cul-de-sac.
  - e. Designated snow plow turn-arounds and all maintenance areas.
  - f. All designated emergency pullouts and school bus turn-arounds.
2. Disabled Vehicle: A "Disabled Vehicle" is a validly licensed and registered vehicle, trailer or camper that will not move under its own power due to mechanical failure, snow or other circumstances.
3. Object: An "Object" Includes by way of example and not limitation, construction materials/equipment, discarded articles, and scrap materials.

#### **B. PARKING PROHIBITIONS**

Vehicles or other Objects shall not be parked, stored or abandoned in whole or In part on a County Roadway unless one of the following conditions exist:

- 1. The Sheriff's Office has been notified that efforts are actively underway to have a Disabled Vehicle or Object removed, and
- 2. The Disabled Vehicle or Object has been removed in not less than 72 hours from the time it was parked, stored or abandoned.

#### **C. TRAFFIC HAZARD/SNOW REMOVAL**

Notwithstanding the parking policy set forth in Section I.B. herein, in the event a parked vehicle or object creates an obstruction to traffic, or if it impedes snow removal or scheduled road repair, or if it impedes emergency vehicles, the vehicle or object shall be removed immediately under the direction of the Sheriff, pursuant to C.R.S. § 42-4-1803(2).

### **II. TOWING - NOTICE OF VIOLATION**

#### **A. RED TAG ISSUANCE**

Either an employee of the Clear Creek County Road and Bridge Department or a deputy sheriff shall place a red tag on a vehicle or object parked, stored or abandoned on a County Roadway in violation of this Ordinance. The red tag shall require the owner to remove the vehicle or object within 24 hours. After expiration of 24 hours "red tagged" vehicles shall be deemed "abandoned motor vehicles" as defined In C.R.S. § 42-4-1802(1)(b), unless the owner has conspicuously affixed to the vehicle a notice, or has otherwise given the Sheriff's Office notice, stating the intention to return and remove the vehicle within 72 hours from the time it was parked, stored or abandoned.

#### **B. TIME LIMITS**

The time limit for compliance with a red tag shall be no more than 24 hours unless an arrangement has been approved with Section II.A. herein.



**C. COURTESY CALL**

The person placing the red tag may request the Sheriff's Dispatcher to telephone, if possible, the vehicle owner as a courtesy to request the owner's cooperation.

**D. FOLLOW-UP**

The person placing the red tag shall follow-up or arrange for follow-up at the time of red tag expiration. If the tagged vehicle or object remains in violation at the expiration of the red tag, it shall be towed in accordance with the Sheriff's Office established procedures.

**III. TOWING - REMOVAL**

**A. SHERIFF ACTION**

Should a tow be required, the tow shall be carried out under the direction of the Sheriff's Office in accordance with C.R.S. § 42-4-1803.

**B. REPEAT VIOLATIONS**

If a vehicle or object has been red tagged once, on a subsequent occasion it is parked, stored or abandoned in violation of this Ordinance within 12 months following the first occasion, it will be deemed abandoned and subject to be towed immediately.

**C. TOW FEES**

Costs of towing and storage of vehicles and objects in violation of this Ordinance shall be the responsibility of the owner. The County has no control over, and does not regulate, the rates charged by any tow company.

**NOW, THEREFOR BE IT FURTHER ORDAINED** by the Board of County Commissioners, that this Ordinance "Regulating the Parking On and Blocking of Clear Creek County Roadways and Road Right-of-Ways" supersedes Ordinance No. 5, which is hereby repealed.

**NOW, THEREFORE BE IT EVEN FURTHER ORDAINED** by the Board of County Commissioners that, upon adoption, this Ordinance is published by title only in a newspaper(s) of general circulation in the County.

**BE IT EVEN FURTHER ORDAINED** by the Board of County Commissioners, that this Ordinance is effective upon adoption, following the second reading.



INTRODUCED, READ AND ORDERED PUBLISHED BY THE BOARD OF COUNTY COMMISSIONERS OF CLEAR CREEK COUNTY, COLORADO, THIS 17<sup>th</sup> DAY OF APRIL, 2018.

BOARD OF COUNTY COMMISSIONERS  
CLEAR CREEK COUNTY, COLORADO

Timothy J. Mauck, Chairman

Randall Wheelock, Commissioner

Sean C. Wood, Commissioner

CERTIFICATION: THE FOREGOING ORDINANCE WAS INTRODUCED AND READ ON April 17, 2018, BY THE BOARD OF COUNTY COMMISSIONERS OF CLEAR CREEK COUNTY, COLORADO, AND APPROVED FOR PUBLICATION.

DATE OF PUBLICATION: 4/25/18

Beth Luther  
Deputy Clerk & Recorder  
Clear Creek County


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READ, PASSED, AND ADOPTED AFTER PUBLIC HEARING AND ORDERED  
PUBLISHED BY TITLE ONLY THIS 15th DAY OF May,  
2018.

BOARD OF COUNTY COMMISSIONERS  
CLEAR CREEK COUNTY, COLORADO


  
\_\_\_\_\_  
Timothy J. Mauck, Chairman

  
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Randall Wheelock, Commissioner

  
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Sean C. Wood, Commissioner

CERTIFICATION: THE FOREGOING ORDINANCE WAS CONSIDERED AT PUBLIC  
HEARING ON May 15th, 2018, AND ADOPTED BY THE BOARD OF  
COUNTY COMMISSIONERS EFFECTIVE THE 15th DAY OF  
May, 2018.

DATE OF SECOND PUBLICATION: May 23, 2018

  
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Beth Luther  
Deputy Clerk & Recorder  
Clear Creek County