

**TOWN OF SILT, COLORADO
ORDINANCE NO. 9
SERIES OF 2009**

**AN ORDINANCE ESTABLISHING A COLLECTION PROCESS FOR
PARKING VIOLATIONS**

WHEREAS, the Town of Silt recognizes the importance of enforcing traffic and parking ordinances; and

WHEREAS, the Town of Silt does enforce the parking ordinances; however, the Town has encountered difficulty in collecting fines; and

WHEREAS, the Board of Trustees has determined that it is in the best interest of the Town and its citizens that the Town institute a procedure that provides a means to collect parking violation fines while providing notice and due process.

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SILT, COLORADO THAT:

Section 1. Article 1, Part 12, of the Model Traffic Code is amended by the addition of subsections 1212 (1) and (2) and codified as subparagraph C of Chapter 10.4, Section 10.04.010 to read as follows:

C. Amendment to Model Traffic Code—Parked Vehicles.

1. Section 1212(1) Notice on Illegally Parked Vehicles. Whenever any motor vehicle without driver is found parked or stopped in violation of any of the restrictions imposed by the ordinances of the Town of Silt, the officer finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a penalty assessment notice directing the owner of the vehicle to respond to and answer the charge against him or her at a place and at a time specified in said notice. The registered owner of any motor vehicle is liable for payment of a parking violation fine. It is no defense to the prosecution of a parking violation, that at the time of the parking violation, the vehicle was in the care, custody, or control of another person.

2. Section 1212(2) Failure to Comply with Notice on Parked Vehicle. If the owner of an unattended motor vehicle charged with an apparent violation of the restrictions on stopping, standing, or parking under the traffic ordinances of the Town of Silt does not respond within the time specified to a penalty assessment notice affixed to such vehicle, as provided in section 1210(2), by: appearance and payment at the Town of Silt Municipal Court; by mailing payment by means of the United States Mail; or by disposition of the charge as provided by law, the

clerk of the court shall send another notice by mail to the registered owner of the vehicle, warning the owner that in the event such notice is disregarded for a period of twenty (20) days from date of mailing, a summons and complaint will be filed and if an appearance or payment is not received, a warrant of arrest will be issued.

Section 2. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance; and the Town Council hereby declares it would have passed this ordinance, and each part, section, subsection sentence, clause or phrase thereof, regardless of the fact that any one or more parts, sections, subsections, sentences, clauses or phrases be declared invalid.

Section 3. The enactment of any provision of the Municipal Code of the Town of Silt as provided in this ordinance shall not affect any right which has accrued, any duty imposed, any violation that occurred prior to the effective date hereof, any prosecution commenced, nor any other action or proceedings as commenced under or by virtue of the provision repealed or repealed and reenacted. The repeal of any provision hereby shall not revive any provision or any ordinance previously repealed or superseded unless expressly stated herein.

Section 4. All bylaws, orders, resolutions, and ordinances, or parts thereof, inconsistent herewith are repealed to the extent only of such inconsistency. This repealer shall not be construed to revise any bylaw, order, resolution, or ordinance, or part thereof, theretofore repealed.

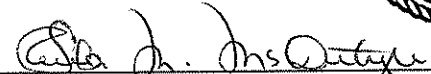
INTRODUCED, READ, APPROVED ON FIRST READING this 22nd day of June, 2009 at the municipal building of the Town of Silt, Colorado.

PASSED, APPROVED ON SECOND READING, ADOPTED AND ORDERED PUBLISHED FOLLOWING A PUBLIC HEARING, this 13th day of July, 2009.



TOWN OF SILT


Mayor David C. Moore


Town Clerk Sheila M. McIntyre, CMC