

**CITY OF RIFLE, COLORADO  
ORDINANCE NO. 21  
SERIES OF 2013**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING  
CHAPTER 8, ARTICLE I OF THE RIFLE MUNICIPAL CODE TO DELETE,  
AMEND, AND REPLACE SPECIFIC SECTIONS OF THE 2010 MODEL  
TRAFFIC CODE ADOPTED BY REFERENCE IN 2010.

WHEREAS, by Ordinance No. 11, Series of 2010, the City adopted by reference the Model Traffic Code for Colorado, 2010 Edition (“MTC”), which regulations are now codified at Chapter 8, Article I of the Rifle Municipal Code (the “Code”); and

WHEREAS, since the adoption of the MTC, City staff and consultants have identified certain provisions that conflict with the Code (MTC § 1716(4)(b)), are redundant (MTC § 1710(3)), or create an unnecessary procedural burden on staff (MTC § 1709(1.5)) and, therefore, recommends to the City Council that those provisions of the MTC be amended; and

WHEREAS, the City Council finds and determines that the recommended amendments to the 2010 Model Traffic Code are in the best interest of the public health, safety and welfare of the citizens of Rifle.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, THAT:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. Chapter 8, Article I of the Rifle Municipal Code is hereby amended to add a new Section 8-1-220 to read as follows.

**Sec. 8-1-220. Penalty assessment notice for traffic offenses – violations of provisions by officer – driver’s license.**

Subsection 1709(1.5) of the adopted code is deleted.

Section 3 Chapter 8, Article I of the Rifle Municipal Code is hereby amended to add a new Section 8-1-230 to read as follows.

**Sec. 8-1-230. Failure to pay penalty for traffic offenses – failure of parent or guardian to sign penalty assessment notice – procedures.**

Section 1710 of the adopted code is amended to delete subsection (1)(b), correct subsection (3), delete the last sentence of subsection (4), and shall read as follows:

**1710. Failure to pay penalty for traffic offenses - failure of parent or guardian to sign penalty assessment notice - procedures.**

(1) Unless a person who has been cited for a traffic infraction pays the penalty assessment as provided in this Code and surcharge thereon pursuant to section 24-4.2-104 (1), C.R.S., the person shall appear at a hearing on the date and time specified in the citation and answer the complaint against such person.

(1.5) If a minor under the age of eighteen years is required to appear at a hearing pursuant to subsection (1) of this section, the minor shall so inform his or her parent or legal guardian, and the parent or legal guardian shall also be required to appear at the hearing.

(2) If the violator answers that he or she is guilty or if the violator fails to appear for the hearing, judgment shall be entered against the violator.

(3) If the violator denies the allegations in the complaint, a final hearing on the complaint shall be held subject to the provisions regarding a speedy trial which are contained in Rule 248, Colorado Municipal Court Rules. If the violator is found guilty or liable at such final hearing or if the violator fails to appear for a final hearing, judgment shall be entered against the violator.

(4) If judgment is entered against a violator, the violator shall be assessed an appropriate penalty and surcharge thereon, a docket fee, and other applicable costs authorized by ordinance or the court.

Section 4. Chapter 8, Article I of the Rifle Municipal Code is hereby amended to add a new Section 8-1-240 as follows.

**Sec. 8-1-240. Notice to appear or pay fine – failure to appear – penalty.**

Subsection 1716(4)(b) of the adopted code is amended to read as follows:

(b) A person who violates any provision of paragraph (a) of subparagraph (I) of this subsection (4) commits a Class A municipal offense and shall be punished pursuant to Section 10-2-12 of the Rifle Municipal Code.

INTRODUCED on November 6, 2013, read by title, passed on first reading, and ordered published by title as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado, held on November 20, 2013, passed without amendment, approved, and ordered published in full as required by the Charter.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2013.

CITY OF RIFLE, COLORADO

BY \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk