

CITY OF RIFLE, COLORADO
ORDINANCE NO. 1
SERIES OF 2015

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, REPEALING SECTION 8-1-120 OF THE RIFLE MUNICIPAL CODE REGARDING ENFORCEMENT BY THE CITY OF RIFLE OF PARKING AND RELATED RESTRICTIONS ON PRIVATE PROPERTY.

WHEREAS, by Ordinance No. 11, Series of 2010, the City of Rifle (“City”) repealed and the Model Traffic Code for Colorado, 2003 Edition, and adopted by reference pursuant to the procedures set forth in C.R.S. § 31-16-201 *et seq.* the Model Traffic Code for Colorado, 2010 Edition (“MTC”), with amendments by the City, codifying the same as Chapter 8, Article 1 of the Rifle Municipal Code (the “Code”); and

WHEREAS, Section 8-1-120 of the Code amended Section 1204 of the MTC by adding a subsection (9) providing for enforcement by the City of violations of parking restrictions applicable only to private property, which amendment to Section 1204 of the MTC has been in the Code for many years prior to the recent adoption of the MTC; and

WHEREAS, City staff has undertaken a review of the MTC, as amended, and recommends to City Council that Section 8-1-120 be repealed due to the existence of adequate private remedies for enforcement of private property parking restrictions alternative to enforcement of such restrictions by the City; and

WHEREAS, the City Council finds that Section 8-1-120 should be repealed for the reasons cited by City staff and in the interest of conserving the City’s parking enforcement resources for enforcement of parking violations on the City’s roadways, streets, and public places.

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. Section 8-1-120 of the Rifle Municipal Code is hereby repealed, the following reflecting by ~~strike through~~ the deleted language of Section 8-1-120, and the subsequent sections of the Code are renumbered accordingly:

~~Sec. 8-1-120. Illegal Parking on Private Property.~~

~~Section 1204 of the adopted code is hereby amended to add a new subsection (9), to read as follows:~~

~~"(9) At any place within this municipality where clearly marked signs or markings are posted by the owner, or lessee, of the property, giving notice of any stopping, standing or parking restrictions or prohibitions, no person shall stop, stand or park a vehicle in any manner in violation of the provisions contained on such sign or signs. Any violation thereof shall be punished as in other cases of unlawful parking; provided, however, that the police~~

~~department shall require the owner or lessee of the property to sign a complaint prior to taking any action."~~

INTRODUCED on January 21, 2015, 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 February 4, 2015, passed without amendment, approved, and ordered published in full as required by the Charter.

Dated this ____ day of _____, 2015.

CITY OF RIFLE, COLORADO

BY: _____
Mayor

ATTEST:

City Clerk