

**TOWN OF LYONS,
COLORADO**

ORDINANCE 1033

AN ORDINANCE OF THE TOWN OF LYONS, COLORADO AMENDING SECTION 2-6-270 OF THE LYONS MUNICIPAL CODE RELATED TO PENALTIES FOR NONCIVIL TRAFFIC OFFENSES

WHEREAS, the Town of Lyons Board of Trustees ("Board") has the authority pursuant to C.R.S. § 31-15-401 and its general police powers to pass and enforce regulations which may be necessary or expedient for the promotion of the health, safety and welfare of the citizens of the Town of Lyons ("Town"); and

WHEREAS, state law sets the maximum penalty for municipal code violations at two thousand six hundred fifty dollars (\$2,650.00) at Section 13-10-113, C.R.S.; and

WHEREAS, the Board desires to amend the penalties for noncivil traffic offenses in Section 2-6-270 of the Lyons Municipal Code to bring the Town's penalties in line with State law and determines that such amendments promote the health, safety and welfare of the citizens of and visitors to the Town of Lyons.

THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS, THAT:

Section 1. Section 2-6-270 of the Lyons Municipal Code is hereby repealed and replaced to read in full as follows:

Sec. 2-6-270. - Penalties for noncivil traffic offenses.

- (a) Upon conviction of or entry of a guilty plea or a plea of nolo contendere to, a traffic offense, as defined in Section 2-6-140 of this Division, any adult (a person age eighteen [18] years or older) may be fined by an amount not to exceed two thousand six hundred fifty dollars (\$2,650.00) or incarcerated for a period not to exceed one year, or both.
- (b) Upon conviction of or entry of a guilty plea or a plea of nolo contendere to, a traffic offense, any juvenile (a person under the age of eighteen [18] years) may be fined by an amount not to exceed two thousand six hundred fifty dollars (\$2,650.00).
- (c) Noncivil traffic offenses subject to penalties as set forth in Subsections (a) and (b) above are as follows:

<i>MTC* Section</i>	<i>Charge</i>	<i>Points Assessed</i>
§1101	Speeding violations more than 25 mph over speed limit	6
§1105	Speed contest	12
§1401	Reckless driving	8
§1402	Careless driving	4
§1413	Eluding or attempting to elude police	12
§1903	Failure to stop for school bus	6
§1409	Compulsory insurance	4

* MTC = Model Traffic Code

Section 2. Severability. Should any one or more sections or provisions of this Ordinance enacted hereby be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 3. Repeal. Any and all ordinances, resolutions, or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance, resolution, or code or part thereof shall not revive any other section or part of any ordinance, resolution, or code provision heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance or code hereby repealed prior to the taking effect of this ordinance.

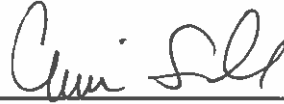
Section 4. Codification of Amendments. The codifier of the Town's Municipal Code, Municipal Code Corporation, is hereby authorized to make such numerical and formatting changes as may be necessary to incorporate the provisions of Section 1 and 2 of this Ordinance within the Lyons Municipal Code.

Section 6. Effective Date. This Ordinance shall become effective thirty (30) days after publication following final passage in accordance with Section 2-2-160 of the Lyons Municipal Code.

INTRODUCED AND PASSED ON FIRST READING THIS 19TH DAY OF MARCH 2018.

INTRODUCED, AMENDED, PASSED, ADOPTED AND ORDERED PUBLISHED THIS *2nd*
DAY OF *April* **2018.**

TOWN OF LYONS, COLORADO



Connie Sullivan, Mayor

ATTEST:



Debra K. Anthony, Town Clerk

