

**TOWN OF WESTCLIFFE, COLORADO
ORDINANCE # 2-2022**

**AN EMERGENCY ORDINANCE OF BOARD OF TRUSTEES OF THE TOWN OF
WESTCLIFFE, AN INCORPORATED TOWN OF THE STATE OF COLORADO,
AMENDING TITLE 9, CHAPTER 1, WESTCLIFFE PARKING INFRACTIONS CODE**

WHEREAS, the Town of Westcliffe acting by and through its Town Board of Trustees has the power to regulate the use of streets and alleys pursuant to Colorado Revised Statutes (C.R.S.) 31-15-702; and

WHEREAS, the Board of Trustees of the Town of Westcliffe has determined that Sections 9-1-2, Definitions, and 9-1-5, Enforcement, of the Town's Municipal Code should be amended forthwith to allow for the enforcement of parking infractions by a parking enforcement officer within the Town limits of Westcliffe, Colorado; and

WHEREAS, the Town of Westcliffe acting by and through its Town Board of Trustees has the power to pass this emergency ordinance effective immediately pursuant to C.R.S. § 31-16-105; and

WHEREAS, the Board of Trustees finds and declares that it is necessary and in the best interests of the health, welfare, and safety of the residents of the Town of Westcliffe to facilitate the enforcement of parking infractions within the Town for the continued operation of vital roads and emergency routes.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF
THE TOWN OF WESTCLIFFE, COLORADO:**

1. **Amend to Title 9, Chapter 1, Section 2, of the Municipal Code.** Title 9, Chapter 1, Section 2, of the Municipal Code is repealed and reenacted in its entirety, changing the letter designation to numbers and adding Parking Enforcement Officer as follows:

9-1-2: Definitions

26. PARKING ENFORCEMENT OFFICER:

Parking Enforcement Officer means an official of the Town appointed and commissioned by the Board of Trustees charged with authority for administration and enforcement of this Title. Parking Enforcement Officer also means any Town employee or person employed under independent contract by the Town who is appointed by the Town Manager and commissioned by the Board of Trustees to enforce this Title.

2. **Amendment to Title 9, Chapter 1, Section 5, Paragraph A. of the Municipal Code.** Title 9, Chapter 1, Section 5, Paragraph A, Subparagraphs 1 and 3 of the Municipal Code are amended by adding the double-underlined and capitalized text and removing the stricken text, and Subparagraphs 2 and 4 remain unchanged in their original form, as follows:

9-1-5: Enforcement

A. ENFORCEMENT. THIS SECTION HEREBY ESTABLISHES AND SHALL BE ENFORCED BY AN OFFICER APPOINTED BY THE BOARD OF TRUSTEES TO BE KNOWN AS THE "PARKING ENFORCEMENT OFFICER." Enforcement of the provisions of this chapter shall be as follows:

1. At any time that a person is charged with the commission of any parking infraction, the ~~peace officer~~ PARKING ENFORCEMENT OFFICER shall give a penalty assessment notice to the owner of the vehicle personally or by leaving it under the windshield wiper of the vehicle.
 2. The fine or penalty specified in Section 3 for the violations charged and the surcharge thereon may be paid at the municipal court clerk's office, either in person or by postmarking such payment within twenty days from the date the penalty assessment notice is served upon the defendant. Acceptance of a penalty assessment notice and payment of the prescribed fine or penalty and surcharge thereon shall be deemed a complete satisfaction of the violation.
 3. The penalty assessment notice shall contain the name and address of the vehicle owner, the license number of the vehicle, a citation of the ordinance alleged to have been violated, a brief description of the offense, the date and approximate location thereof, the amount of the penalty prescribed for the offense, the amount of the surcharges thereon, if any and the date the penalty assessment notice is served; shall direct the owner to appear in a municipal court at a specified time and place in the event the penalty and surcharges thereon are not paid; shall be signed by the ~~peace officer~~ PARKING ENFORCEMENT OFFICER; and shall contain a place for the owner to elect to execute a signed acknowledgment of guilt and an agreement to pay the penalty prescribed and surcharges thereon within twenty (20) days as prescribed herein, as well as such other information as may be required by law to constitute the penalty assessment notice to be a summons and complaint, should the prescribed penalty and surcharges thereon not be paid within the time allowed.
 4. Unless a person who has been cited for a traffic infraction pays the penalty assessment as set forth above, the person shall appear at a hearing on the date and time specified in the citation and answer the complaint against such person.
3. Notwithstanding the foregoing additions and amendments, all other Sections of Title 9, Chapter 1 of the Westcliffe Municipal Code remain unchanged and in their original form.
 4. **Emergency Declaration.** The Board hereby finds, determines and declares that it is necessary that this Ordinance take effect upon the Effective Date to facilitate the enforcement

of parking infractions within the Town for the continued operation of vital roads and emergency routes in order to protect public health or safety.

5. **Effective Date and Time.** This Ordinance is effective as of this 20th day of June, 2022.

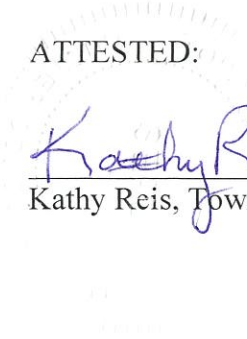
THIS ORDINANCE WAS INTRODUCED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF WESTCLIFFE, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED BY THREE-FOURTHS VOTE AT ITS REGULAR MEETING HELD AT THE TOWN OF WESTCLIFFE ON THE 20TH DAY OF JUNE, 2022.

TOWN OF WESTCLIFFE

By: _____

Paul Wenke, Mayor

ATTESTED:


Kathy Reis

Kathy Reis, Town Clerk