

**TOWN OF SUPERIOR
ORDINANCE NO. 0-5
SERIES 2015**

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE
TOWN OF SUPERIOR AMENDING SECTION 8-1-80 OF
THE SUPERIOR MUNICIPAL CODE REGARDING
PENALTIES FOR TRAFFIC VIOLATIONS**

WHEREAS, Section 8-1-80 of the Superior Municipal Code (the "Code") establishes the penalties for violations of the traffic laws set forth in Article 1 of Chapter 8 of the Code;

WHEREAS, the penalties for such traffic violations include a fine of not more than \$2,650.00, imprisonment not to exceed 180 days, or both such fine and imprisonment; and

WHEREAS, the Board of Trustees finds it is in the best interests of the public health, safety, and general welfare to reduce the maximum fine and to eliminate imprisonment as a possible penalty for certain traffic violations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF SUPERIOR, COLORADO, as follows:

Section 1. Section 8-1-80 of the Superior Municipal Code is hereby amended as follows:

Sec. 8-1-80. Penalties.

(a) It is unlawful for any person to violate any provision of this Article.

(b) Except as provided for parking infractions in Section 8-1-60 and in Subsection (c) hereof, a person who is convicted of a violation of any provision of this Article shall be subject to ~~the penalties specified in Chapter 1, Article III~~ a civil penalty of a fine of not more than four hundred ninety-nine dollars (\$499.00), subject to the following:

(1) Pursuant to C.M.C.R. 210(b)(4), the Court may by order, which may from time to time be amended, supplemented or repealed, designate the traffic offenses, the penalties for which may be paid at the office of the Court Clerk.


(2) The Court may, by published order to be prominently posted in a place where fines are to be paid, specify by suitable schedules the amount of fines to be imposed for specific traffic infractions.

(c) A violation of any of the following shall be a misdemeanor traffic violation subject to the penalty specified in Chapter 1, Article III of this Code: Section 1105, Speed Contests; Section 1401, Reckless Driving; Section 1409, Compulsory Insurance; or Section 1413, Eluding or Attempting to Elude a Police Officer.

Section 2. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

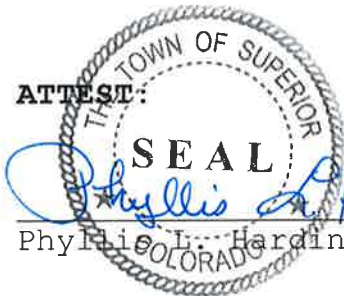
Section 3. Safety. This Ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

INTRODUCED, READ, PASSED AND ORDERED PUBLISHED this 27TH day of July, 2015.



Clint Folsom, Mayor

ATTEST:

The seal is circular with a double-line border. The outer ring contains the text "THE TOWN OF SUPERIOR" at the top and "COLORADO" at the bottom. In the center, the word "SEAL" is printed in a bold, serif font. A handwritten signature in blue ink, "Phyllis L. Hardin", is written across the seal. Below the seal, the name "Phyllis L. Hardin, Town Clerk-Treasurer" is printed.

Phyllis L. Hardin, Town Clerk-Treasurer