

DRAFT ORDINANCE No. 2024-1

AMENDED ORDINANCE 2023-3

AN ORDINANCE REGULATING TRAFFIC AND PARKING ON PUBLIC PROPERTY IN UNINCORPORATED BOULDER COUNTY AND OTHER COUNTY-OWNED PROPERTY

RECITALS:

- A. Section 30-11-101(2), C.R.S., authorizes counties to adopt and enforce ordinances and resolutions regarding health, safety, and welfare issues as otherwise prescribed by law; and
- B. Section 30-11-107(1)(a), C.R.S., authorizes a board of county commissioners to meet to adopt orders concerning property belonging to Boulder County; and
- C. Section 18-9-117(1), C.R.S., authorizes a board of county commissioners to regulate conduct on county property as reasonably necessary to administer, protect, and maintain the property, including enacting prohibitions on activities that substantially interfere with others' use and enjoyment thereof; and
- D. Section 30-15-401(1)(h), C.R.S., authorizes a board of county commissioners to adopt ordinances which control and regulate the movement and parking of vehicles and motor vehicles on public property; and
- E. Section 42-4-110(1)(b), C.R.S., authorizes local authorities to adopt by reference all or part of a model traffic code, which embodies the rules of the road and vehicle requirements set forth in section 42-4-110, C.R.S. and section 42-4-111, C.R.S., except in the case of state highways, in which case any regulations shall also be approved by the Colorado Department of Transportation; and
- F. The Boulder County Board of County Commissioners (Board) has previously regulated traffic and parking on public property in unincorporated Boulder County and county-owned property in order to promote the best interests of the public health, safety, and welfare of Boulder County residents; and
- G. The Board earlier adopted by reference the 2020 Edition of the Model Traffic Code for Colorado, which the Colorado Department of Transportation most recently adopted the 2024 Edition; and
- H. Section 30-15-402(1), C.R.S., authorizes fines to be imposed for violations of county ordinances; and
- I. Section 30-15-402.5(1) C.R.S. authorizes a board of county commissioners to designate personnel authorized to enforce its duly adopted county ordinances by issuing citations or summonses and complaints to violators of its ordinances; and
- J. The Boulder County Sheriff and appointed deputies within the Boulder County

Sheriff's Office (Sheriff's Office) enforce traffic regulations and parking restrictions in unincorporated Boulder County and on county-owned property located within the city limits of municipalities in Boulder County as designated by ordinance; and

K. The Board finds it in the best interests of public safety to authorize county personnel, beyond Sheriff's Office peace officers, to enforce parking restrictions contained in the Model Traffic Code for Colorado and established by ordinance, including all Boulder County Security Officers and Boulder County Parks and Open Space Rangers; and

L. The Board finds that adoption of this Ordinance will lead to a more uniform application of the rules and regulations governing the movement and parking of vehicles on public property in unincorporated Boulder County and on other county-owned property; and

M. The Board finds it appropriate to continue referring to these local traffic and parking regulations as "Ordinance 2023-3" despite the renumbering of this Ordinance for procedural purposes; and

N. Upon the effective date of this Ordinance, any reference to "Ordinance 2023-3" in any written materials or resources shall be deemed to refer to this Ordinance.

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Boulder County, Colorado as follows:

ARTICLE I – GENERAL PROVISIONS

Section I.1: Purpose.

The purpose of this Ordinance is to provide comprehensive traffic control and parking regulations for property over which Boulder County has authority and jurisdiction. This Ordinance is intended to provide a system of traffic and parking regulations that are consistent with state law and generally conform to similar regulations through the state and nation.

Section I.2: Repeal and Replacement.

The Board of County Commissioners (Board) hereby repeals and replaces the Ordinance adopted on December 15, 2023.

Section I.3: Application.

This Ordinance applies to all county property including all public property in the unincorporated areas of Boulder County, Colorado subject to the authority and control of the Board of County Commissioners, as well as all property that is owned and controlled by Boulder County within the municipal boundaries of incorporated areas within Boulder County. This Ordinance is in addition to and irrespective of any municipal ordinances that may apply to county-owned property in incorporated areas.

Section I.4: Definitions.

Words and phrases used in this Ordinance shall have their usual and customary meanings except where a word or phrase is defined in the latest edition of the Model Traffic Code for Colorado, in which case it

shall have the meaning specified therein. Notwithstanding, the following words and phrases as used in this Ordinance shall have the meanings respectively ascribed to them in this Section:

- 1) “Abandoned Vehicle” means any Vehicle that is left in one location on public property without the consent of the owner thereof for a continuous period of more than seventy-two (72) hours. Any Vehicle that is moved from a location on public property and re-parked within seven hundred (700) feet of the same location within any twenty-four (24) hour period is considered continuous parking. “Abandoned Vehicle” does not include any operable Vehicle with an active license and registration that is parked on a Street near the property where the Vehicle is registered provided the Vehicle is registered to an address in unincorporated Boulder County. A Vehicle is parked “near” the property where the Vehicle is registered if the Vehicle is located within seven hundred (700) feet of such property as measured on the Street(s) that connect the Vehicle and the property.
- 2) “Boulder County Traffic Code” means the Colorado Department of Transportation Model Traffic Code for Colorado, 2024 edition, as may be amended or superseded, as modified by Sections II.2 and III.3 of this Ordinance.
- 3) “Bus” means a Motor Vehicle owned or operated by a public body and designed for carrying more than ten (10) passengers.
- 4) “Bus Stop” means an area extending eight (8) feet into the Street from the Curb and extending along the Curb between the Traffic Control Devices designating it as such. Where a Traffic Control Device indicates the existence of a Bus Stop but does not indicate its extent, the Bus Stop extends fifty (50) feet in front of the Traffic Control Device. Where the Curb is indented on a Street where parking is prohibited and a Traffic Control Device indicates a Bus Stop in the indented area, the Bus Stop extends along the entire indented area. A Traffic Control Device designating an area as a Bus Stop may include, but are not necessarily limited to, a sign or marking that states “Regional Transportation District”, “The Ride”, “R.T.D.”, “Bus”, or “Buses Only”, or includes a symbol for a bus.
- 5) “County Engineer” means the individual appointed by the Director of the Boulder County Public Works Department, and is responsible for the administration and enforcement of all floodplain and road access regulations, requirements, and referenced provisions of this Ordinance.
- 6) “Curb” means the raised concrete or asphalt edge separating the Roadway of a Street from the sidewalk, boulevard strip, median strip, path, or other adjacent areas, and includes its prolongation across an intersection or Junction. Where no curb exists, the edge of that portion of the Street improved, designed, or ordinarily used for motor vehicular travel is the Curb.
- 7) “Employee” means an individual employed by Boulder County and includes elected officials.
- 8) “Holiday” means each day that is declared to be a holiday by county resolution or state or federal statute. Holidays include, but are not necessarily limited to, New Year's Day, Martin Luther King, Jr. Day, President's Day, Memorial Day, Juneteenth, Independence Day, Veterans' Day, Labor Day, Thanksgiving Day, and Christmas Day. Where the date that a Holiday is observed differs from the date of historical significance being commemorated, the date that the holiday is observed is the Holiday for the purposes of this Ordinance.

- 9) “Inoperable Motor Vehicle” means any Motor Vehicle that:
 - a) Does not have a current license plate and validation tab (renewal sticker) lawfully affixed thereto;
 - b) Is apparently inoperable due to being wholly or partially wrecked or dismantled; or
 - c) Suffers any defect that prevents the Motor Vehicle from moving under its own power in a safe and lawful manner on public streets and highways.
- 10) “Junction” means the intersection of a street with a driveway, alley, parking lot, or any similar established point of entry or exit onto or from a Street other than onto or from another Street.
- 11) “Motor Vehicle” means any self-propelled Vehicle that is designed primarily for travel on the public highways and is generally and commonly used to transport persons and property over public streets.
- 12) “Parking Control Device” means any sign, standard, signal, painted area, marking, inscription, designation, or other device placed or displayed by Boulder County or other public official or body with authority over any Street, drive, way, or parking area for the purpose of regulating, restricting, or prohibiting the parking of Vehicles.
- 13) “Parking Lot” means an area owned or maintained by Boulder County that is improved, designed, or ordinarily used in whole or in part for storing or parking Vehicles.
- 14) “Parks and Open Space” means any areas designated by the Board as Boulder County Parks or Open Space.
- 15) “Parks Ranger” means any person employed by the Boulder County Parks and Open Space Department to enforce the Rules and Regulations for Boulder County Parks & Open Space Areas as set forth in Resolution No. 2023-024, as may be amended or replaced.
- 16) “Peace Officer” means a person employed by the Boulder County Sheriff’s Office with authority to enforce all state laws while acting within the scope of their duties.
- 17) “Permit” means an authorization issued by Boulder County allowing the permit holder to park a Motor Vehicle in a Parking Lot.
- 18) “Roadway” means the portion of a Street that is improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder.
- 19) “Security Officer” means any person employed by Boulder County for the purpose of providing security services for buildings, Parking Lots, and other county property.
- 20) “Sidewalk Area” means the area between the Curb of a Street and the adjacent property lines.
- 21) “Street” means a road or way leading from one place to another that is open to the public for purposes of vehicular travel and controlled or maintained by Boulder County. The “Street” includes the entire length and width of the way between adjacent property lines.
- 22) “Towing Carrier” means a person or entity that provides, as one of its primary

functions, the towing of Motor Vehicles by use of a tow truck and may also provide storage of towed Motor Vehicles. A “Towing Carrier” as used in this Ordinance must possess a valid towing carrier certificate issued by the Public Utilities Commission.

- 23) “Traffic Control Device” means any sign, standard, signal, painted area, marking, inscription, designation, or other device, not inconsistent with Title 42 of the Colorado Revised Statutes, placed or displayed by the Boulder County Engineer or other public official or body with authority over any Street, drive, way, or parking area for the purpose of regulating, warning, guiding traffic, or otherwise controlling the movement and parking of Vehicles.
- 24) “Vehicle” means any device that is capable of moving itself, or of being moved, from place to place upon wheels or endless tracks, including, but not limited to, Motor Vehicles, bicycles, off-highway vehicles, trailers, semitrailers, and trailer coaches used to transport persons or property.

Section I.5: Severability.

Should any section, clause, sentence, or part of this Ordinance be adjudged by any court of competent jurisdiction to be unconstitutional or invalid, the same shall not affect, impair or invalidate the regulation as a whole or any part thereof, other than the part so declared to be invalid.

Section I.6: Interpretation.

The above recitals are incorporated into this Ordinance by reference. This Ordinance shall be interpreted and construed as to effectuate its general purpose to adopt and conform to the uniform system for the regulation of vehicles and traffic in Colorado with enumerated modifications. Section headings and cross references of this Ordinance shall not be deemed to govern, limit, modify, or affect in any manner the scope, meaning, or extent of any provision of this Ordinance.

ARTICLE II – BOULDER COUNTY TRAFFIC CODE

Section II.1: Adoption of Model Traffic Code for Colorado.

Pursuant to Sections 42-4-110(1) and 30-15-401(1)(h), C.R.S., and Section 30-15-401(1)(h), C.R.S., the 2024 edition of the Model Traffic Code for Colorado as published by the Colorado Department of Transportation is hereby adopted and incorporated by reference, as modified by Sections II.2 and II.3, to form the Boulder County Traffic Code. As the Colorado Department of Transportation publishes amendments to the Model Traffic Code for Colorado, such amendments will be deemed incorporated into this Ordinance by reference.

A copy of the most recent version of the Model Traffic Code for Colorado may be inspected at Boulder County Sheriff’s Office Headquarters upon request during regular business hours.

Section II.2: Deletions from Model Traffic Code for Colorado.

The following sections of the Model Traffic Code for Colorado are declared inapplicable to Boulder County and are expressly excluded from the Boulder County Traffic Code:

Sections 203, 233, 235;

Sections 507, 508, 509, 510, 511;

Sections 613;

Section 1208, 1210, 1212;

Section 1414; and

Section 1701.

Section II.3: Modifications to Model Traffic Code for Colorado.

The Model Traffic Code for Colorado, as incorporated into the Boulder County Traffic Code and this Ordinance, is modified as follows:

- a) Part 1, Section 105, “Local traffic control devices”, is hereby modified by adding thereto:

The County Engineer is responsible for authorizing the placement of traffic control devices upon highways under the jurisdiction of Boulder County in consultation with the Road Supervisor and the Sheriff’s Office, with the placement and maintenance of such devices being the responsibility of the Road Supervisor.

- b) Part 6, Section 606, “Display of unauthorized signs or devices”, is hereby modified by adding thereto:

(6) The County Engineer is responsible for authorizing purchases of traffic control devices and maintaining inventory thereof. The County Engineer and Road Supervisor are each empowered to remove or cause the removal of unauthorized signs, signals, markings, or other devices without notice.

- c) Part 11, Section 1102, “Altering of speed limits”, is hereby modified by adding thereto:

(8) The County Engineer is responsible for conducting traffic investigations and surveys and evaluating appropriate design standards and projected traffic volumes as necessary for declaring reasonable and safe speed limits.

- d) Part 14, Section 1413, “Eluding or attempting to elude a police officer”, is hereby modified to replace the reference to “municipal ordinance” with “county ordinance”.

- e) In place of Part 12, Section 1208, deleted pursuant to Section II.2, reserved parking for persons with disabilities is governed by Section 42-4-1208, C.R.S., as amended.

- f) In place of Part 17, Section 1701, deleted pursuant to Section II.2, classification of traffic offenses and infractions, penalties therefor, and the penalty and surcharge schedule is governed by Section 42-4-1701, C.R.S., as amended.

Section II.4: Penalty Assessment Procedure and Penalties.

The following penalties and procedures shall apply to violations of Article II of this Ordinance:

- a) Violations of this Article II are punishable as traffic infractions pursuant to Sections 42-4-1701, *et seq.*, and Section 30-15-402, C.R.S.
- b) Any person who violates any provision of this Article II commits a traffic infraction. Except when otherwise prohibited, the penalty assessment procedure provided in Sections 42-4-1701 and 42-4-1709, C.R.S., may be followed by the assessing officer for any such violation of this Ordinance.
- c) In addition to the penalties prescribed in this Article II, every person convicted of, or who admits liability for, or against whom a judgment is entered for a violation of this Article II must pay the surcharges as required by Section 42-4-1701, C.R.S., as amended. Unless otherwise stated, penalties and surcharges assessed under this Section must be paid to Boulder County for remittance to the General Fund pursuant to Section 30-15-402(1), C.R.S.
- d) In addition, every person convicted of a violation of this Ordinance must pay a ten dollar (\$10.00) surcharge for each violation directly to the clerk of the court as provided in Section 30-15-402(2)(a), C.R.S. The clerk of the court shall transmit the surcharge to the court administrator of the Twentieth Judicial District for credit to the victims and witness assistance and law enforcement fund established pursuant to Section 42-4.2-103, C.R.S.
- e) In addition, every person convicted of, or who admits liability for, or against whom a judgment is entered for, a speeding violation pursuant to Section 42-4-1701(4)(a)(I)(L), C.R.S., must pay an additional twenty-two dollars (\$22.00) to Boulder County pursuant to Section 42-4-1701(4)(e)(II), C.R.S.
- f) In addition, every person convicted of operating a vehicle in excess and violation of a speed limit established or declared pursuant to Boulder County Traffic Code Part 11, Speed Regulations, Section 1101, shall pay to the clerk of the court a twenty dollar (\$20.00) surcharge under 30-15-402(3), C.R.S. The clerk of the court shall transmit the moneys to the State Treasurer, who shall credit the same to the Colorado traumatic brain injury trust fund created pursuant to Section 26-1-309, C.R.S.
- g) In addition, every person who admits liability for or against whom a judgment is entered for a class A or class B traffic infraction charged pursuant to state statute shall pay to the clerk of the court a two dollar and fifty cent (\$2.50) surcharge. The clerk of the court shall transmit the moneys to the State Treasurer, who shall credit the same to the offender identification fund created pursuant to Section 24-33.5-415.6, C.R.S.
- h) In addition, except as provided in Section 42-4-1701(5)(c), C.R.S., every person who is convicted of, who admits liability for, or against whom a judgment is entered for a violation of a traffic infraction subject to Section 42-4-1701(5)(a)-(b), C.R.S., must pay a surcharge of one dollar (\$1.00) to the clerk of the court for each violation. The clerk of the court shall transmit such moneys to the State Treasurer for deposit into the family-friendly court program cash fund created pursuant to Section 13-3-113(6), C.R.S.
- i) Traffic infractions are dividing into two classes denoted by “TIA” for Class A Traffic Infractions and “TIB” for Class B Traffic Infractions.
- j) A Schedule of Fines showing the penalties for violating specific Sections of this Ordinance is available upon request at Boulder County Sheriff’s Office Headquarters during normal

business hours.

- k) If a person denies the allegations in a complaint and judgment is subsequently entered against such person for a traffic infraction, such person shall be assessed applicable costs pursuant to Section 42-4-1710, C.R.S., including allowable court costs under Section 13-16-122, C.R.S.

ARTICLE III – PARKING REGULATIONS

Section III.1. Supplement Traffic Code.

The regulations and penalties contained in this Article III are in addition to the provisions regulating the parking of Vehicles in Boulder County Traffic Code Part 12, Parking.

Section III.2. Vehicle Driver and Owner Liable for Violation.

No driver shall stop or park a Vehicle, and no owner of a Vehicle shall fail to prevent the stopping or parking of that Vehicle, in violation of any of the regulations contained in this Article. Where the owner and driver of a Vehicle are different people at the time of violation, such persons are deemed jointly and severally liable for any parking violation. It is a specific defense to the liability of the owner that the Vehicle was parked or stopped by a thief at the time of the violation.

Section III.3. Regulations Not Exclusive.

No Traffic or Parking Control Device imposing a time limit or other restriction on parking relieves any person from the duty to observe all applicable regulations prohibiting or restricting the stopping or parking of Vehicles in specified places and at specified times, including any regulations that are more restrictive than the terms of the Traffic or Parking Control Device.

Section III.4. Stopping, Standing, or Parking Prohibited in Specified Places.

In addition to Boulder County Traffic Code Part 12, Section 1204, the following provisions shall apply to the stopping, standing, or parking of Vehicles on public property in unincorporated Boulder County and on county-owned property in incorporated areas of Boulder County. Except when necessary to avoid conflict with other traffic or to comply with the directions of a Peace Officer, Security Officer, Park Ranger, or Traffic or Parking Control Device:

- a) No person shall stop, stand, or park a Vehicle:
 - 1) On a sidewalk or in a Sidewalk Area.
- b) No person shall park a Vehicle:
 - 1) On a Street within five (5) feet of a public or private driveway or Junction;
 - 2) Within ten (10) feet of a fire hydrant;
 - 3) In a Bus Stop;
 - 4) At any place on a Street where a Traffic or Parking Control Device prohibits parking; or

- 5) In any Parking Lot or on any other county property in violation of a Parking Control Device that restricts parking in any manner, including but not limited to certain Boulder County employees, including elected officials and department heads, as well as specific types of vehicles or vehicles owned by Boulder County.

Section III.5. Signs.

No person shall park a Vehicle in violation of any Traffic or Parking Control Device. Except on Sundays and Holidays, no person shall park a Vehicle in the same location for longer than the time designated on a Traffic or Parking Control Device.

Section III.6. Parking in Space Required.

Every Vehicle parked in a Parking Lot shall be parked entirely within one individual parking space as indicated by a Parking Control Device.

Section III.7. Parking in Loading Zone Prohibited.

Unless otherwise indicated by a Traffic or Parking Control Device, no person shall park a Vehicle in a loading zone except:

- a) When in a passenger loading zone, for the visible loading or unloading of passengers for a period of time not in any case to exceed three (3) minutes; or
- b) When in any other loading zone, for the visible loading or unloading of property for a period not to exceed thirty (30) minutes, or such shorter time as indicated by a Traffic or Parking Control Device.

Section III.8. Parking in Handicapped Space Prohibited.

In accordance with the provisions of Section 42-4-1208, C.R.S., as amended, a person is prohibited from parking a Vehicle in any space reserved for persons with disabilities, as indicated by a Parking Control Device that reasonably indicates the designation for disability parking, such as use of a wheelchair symbol, unless the Vehicle displays a placard or license plate issued by the Colorado Department of Revenue pursuant to Section 42-3-204, C.R.S., as amended, based upon a finding of disability.

Section III.9. Parking Abandoned Vehicles and Inoperable Motor Vehicles on Public Property.

A person is prohibited from parking an Abandoned Vehicle or Inoperable Motor Vehicle on public property.

Section III.10. Parking Lot Restrictions.

A person is prohibited from parking a Vehicle in any Parking Lot or parking space designated for use by County employees or departments, unless the Vehicle:

- a) Bears a valid parking permit issued by Boulder County and is not parked in a reserved space;

- b) Bears a valid parking permit issued by Boulder County and is parked in a reserved space by a person with permission from the elected official or department head that leads the department to which exclusive use of the space was granted; or
- c) Is owned by the County.

Section III.11. Separate Infractions.

- a) For each overtime parking infraction pursuant to Section III.6, a new and separate violation of this Ordinance occurs when a Vehicle remains illegally parked for more than the maximum allowable time for parking following issuance of the preceding parking citation.
- b) For all other parking violations under this Article, a new and separate violation occurs when a Vehicle remains illegally parked for more than two (2) hours after the issuance of the preceding parking ticket.
- c) No more than one (1) penalty may be collected for each parking infraction.

Section III.12. Penalty Assessment Procedure and Penalties.

The following penalties and procedures shall apply to violations of Article III of this Ordinance:

- a) Any person who violates any provision of this Article III commits a civil infraction.
- b) The penalty assessment procedure set forth in Section 16-2-201, C.R.S., may be followed for any violation of this Article III.
- c) Penalties.
 - 1) Violations of Article III, irrespective of location, are subject to the following penalty schedule:
 - i. First Offense: \$15
 - ii. Second Offense: \$30
 - iii. Third and Subsequent Offenses: \$60
- d) In addition, every person convicted of a violation of this Ordinance must pay a ten dollar (\$10.00) surcharge for each violation directly to the clerk of the court as provided in Section § 30-15-402(2)(a), C.R.S. The clerk of the court shall transmit the ten dollar surcharge to the court administrator of the Twentieth Judicial District for credit to the victims and witness assistance and law enforcement fund established pursuant to Section 42-4.2-103, C.R.S. Court costs shall be paid directly to the clerk of the court. Every person convicted of a violation of this Ordinance must otherwise pay any additional surcharges as required by state law, including but not limited to those described in C.R.S. § 24-33.5-415.6 and C.R.S. § 24-4.2-104.
- e) All moneys paid pursuant to this Article IV shall be paid to Boulder County to be deposited into the General Fund except as otherwise required by law.
- f) Where a Vehicle is parked in violation of Section III.9 and the driver or owner is present, an officer will provide verbal or written notice of the violation and allow such person to

immediately move the Vehicle in lieu of a penalty.

ARTICLE IV – TOWING AND IMPOUNDMENT

Section IV.1. Purpose. The purpose of this Article is to protect public health, safety, and welfare by prohibiting the storage of certain Vehicles on public property and establishing procedures for the removal of Vehicles parked on public property in violation of this Ordinance.

Section IV.2. Removing Vehicles from Public Property

- a) Any person authorized to enforce this Ordinance or parking regulations under Article V is authorized to remove or cause to be removed any Vehicle from public property when the Vehicle:
 - 1) Is situated in a manner that obstructs the normal movement of traffic;
 - 2) Presents a health or safety hazard;
 - 3) Is parked in a manner that violates any provision of this Ordinance or the Boulder County Traffic Code;
 - 4) Is involved in criminal conduct;
 - 5) Is situated in a manner that obstructs the commencement or ongoing operation of a public construction, maintenance, or repair project or Street closure;
 - 6) Must be removed in the interest of the public health or safety because of fire, flood, snow, storm, or other emergency;
 - 7) Is an Abandoned Vehicle or Inoperable Motor Vehicle; or
 - 8) Is subject to removal under any other applicable law.
- b) Where the driver or owner of a Vehicle parked in violation of this Ordinance is present, willing, and able to provide for its immediate removal, such person may immediately move the Vehicle in lieu of towing and impoundment.
- c) Where Section IV.2.a.7 serves as the only basis for removing a Vehicle, the Boulder County Sheriff's Office will use reasonable efforts to notify the owner of the violation. Upon such notice, the owner will be granted seventy-two (72) hours to move the Vehicle to a lawful location before removal may occur. If the owner cannot be located, despite reasonable efforts, then the Vehicle may be removed pursuant to this Section.
- d) Where a Vehicle's driver or owner asserts, or an officer identifies, a financial or other hardship impacting a person's ability to bring a Vehicle into compliance with this Ordinance, the officer will provide Boulder County Community Services resource information to the person.
- e) Vehicle removal under this Section must be performed by a Licensed Towing Carrier at the

request of an authorized person pursuant to Article V.

- f) Payment of all storage and towing charges of the Licensed Towing Carrier shall be the sole responsibility of the driver or owner of the Vehicle and shall be paid by the driver or owner directly to the Towing Carrier. The location of any Vehicle towed under this Ordinance may be obtained from the Records Division of the Boulder County Sheriff's Office.

ARTICLE V – ENFORCEMENT.

Section V.1: Sheriff Responsible for Enforcement.

Pursuant to Section 30-15-410, C.R.S., it is the statutory duty of the Boulder County Sheriff, Undersheriff, and Sheriff's deputies to enforce this Ordinance. The Board may otherwise assign powers and duties to Boulder County personnel to enforce this Ordinance in accordance with state law.

Section V.2: Boulder County Personnel Authorized to Enforce Parking Regulations.

The Board finds it necessary and in the public interest to grant specific authority to the following Boulder County personnel to enforce the parking regulations contained in Boulder County Traffic Code Part 12, Parking, and Article III of this Ordinance:

- a) Security Officers; and
- b) Parks Rangers on Boulder County Open Space and adjacent county property including Parking Lots and Streets.

Section V.3: Notices and Citations

Except as otherwise provided, notices and citations issued pursuant to this Ordinance may be delivered in the following ways:

- a) If the driver or owner of a Vehicle in violation of this Ordinance is present, an officer may personally deliver the notice or citation to such responsible person(s).
- b) If an unattended Vehicle parked in violation of this Ordinance, an officer may leave the notice or citation upon the Vehicle by leaving it under the windshield wiper or otherwise affixing it to the Vehicle.

[SIGNATURE PAGE TO FOLLOW]

INTRODUCED, READ AND ADOPTED ON FIRST READING on _____,
_____, and ordered published in the BOULDER DAILY CAMERA.

THE BOARD OF COUNTY
COMMISSIONERS OF THE
COUNTY OF BOULDER,
COLORADO

By: _____, Chair

ATTEST:

Clerk to the Board

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF BOULDER, COLORADO,
ADOPTED ON SECOND AND FINAL READING on _____, _____.

EFFECTIVE DATE WILL BE _____, _____.

THE BOARD OF COUNTY
COMMISSIONERS OF THE COUNTY
OF BOULDER, COLORADO

By: _____, Chair

ATTEST:

Clerk to the Board

CERTIFICATION

I, Molly Fitzpatrick, Boulder County Clerk and Recorder, do hereby certify that the foregoing Ordinance No. _____ - _____, entitled “AMENDED ORDINANCE 2023-3 AN ORDINANCE REGULATING TRAFFIC AND PARKING ON PUBLIC PROPERTY IN UNINCORPORATED BOULDER COUNTY AND OTHER COUNTY-OWNED PROPERTY” is a true, correct, and complete copy from the records in my office, that said Ordinance was duly adopted by the Board of County Commissioners of the County of Boulder and is in full force and effect. Further, one (1) copy of the Ordinance adopted herein is now filed in the Office of the Clerk and Recorder for the County of Boulder, Colorado, and may be inspected during regular business hours.

Clerk and Recorder

STATE OF COLORADO)
) ss.
COUNTY OF BOULDER)

Subscribed and sworn to before me by Molly Fitzpatrick this _____ day of _____, _____.

(S E A L)

Notary Public

My Commission expires: _____