

**TOWN OF NEW CASTLE, COLORADO
ORDINANCE NO. TC 2016-9**

AN ORDINANCE OF THE NEW CASTLE TOWN COUNCIL AMENDING
SECTIONS 10.16.070 AND 12.12.050 OF THE NEW CASTLE MUNICIPAL
CODE.

WHEREAS, the Town of New Castle (“Town”) has adopted by reference the Model Traffic Code for Colorado, 2010 Edition (“2010 MTC”); and

WHEREAS, following the adoption of the 2010 MTC, the New Castle Municipal Court issued a revised schedule of fines; and

WHEREAS, the Town Council finds and determines that certain fines set forth in the Town Municipal Code should be amended to comport with the 2010 MTC and the revised schedule of fines.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NEW CASTLE, COLORADO:

1. Recitals. The foregoing recitals are incorporated herein as findings and determinations of the Town Council.

2. Code Amendment. Sections 10.16.070 and 12.12.050 of the New Castle Municipal Code shall be amended as follows with added language in **bold** and underlined and removed language ~~stricken~~. Only those provisions specifically identified herein are amended by this Ordinance; all other portions and provision of the Municipal Code shall remain in full force and effect:

10.16.070 - Penalties.

Any vehicle violating any provision of this chapter or any parking restriction enacted under this chapter shall be subject to a municipal fine not to exceed ~~twenty dollars (\$20.00) per offense~~ **twenty-five dollars (\$25.00) for a first violation, fifty dollars (\$50.00) for a second violation, one hundred dollars (\$100.00) for a third violation, and one hundred fifty dollars (\$150.00) for a fourth and subsequent violations.** Any applicant who fails to comply with any provision of this regulation including, but not limited to, failure to pay for the costs associated with granting or terminating the license shall be fined up to one hundred dollars (\$100.00) in addition to being required to pay all costs and expenses as provided herein. Each day that a violation continues shall be deemed a separate offense.

12.12.050 - Penalties and enforcement.

The first violation of this chapter shall carry a fine of up to ~~ten dollars (\$10.00)~~ **twenty-five dollars (\$25.00).** The second violation by the same truck, trailer, or item advertised for sale shall carry a fine of up to ~~twenty~~ **fifty** dollars ~~(\$20.00)~~ **(\$50.00).** The third violation shall carry a fine of up to ~~fifty~~ **one hundred** dollars ~~(\$50.00)~~ **(\$100.00),** and any violation thereafter shall carry a

fine of up to one hundred fifty dollars (\$150.00). Each day that the violation continues shall be considered a separate violation.

3. Repeal. Any ordinance of the Town or part thereof whose provisions are in conflict with this Ordinance is hereby repealed. Provided, however, this Ordinance shall not affect the prosecution of any municipal code violation that commenced prior to the effective date of this Ordinance.

4. Severability. Each section of this Ordinance is an independent section and a holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other section or part thereof.

INTRODUCED on December 6, 2016, at which time copies were available to the Council and to those persons in attendance at the meeting, read by title, passed on first reading, and ordered published in full and posted in at least two public places within the Town as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the Town of New Castle, Colorado, on _____, read by title and number, passed with amendment as set forth herein, approved, and ordered published as required by the Charter.

TOWN OF NEW CASTLE, COLORADO
TOWN COUNCIL

By: _____
Art Riddile, Mayor

ATTEST:

Melody Harrison, Town Clerk