

CITY OF GREELEY, COLORADO
ORDINANCE NO. _____, 2021

AN ORDINANCE AMENDING PORTIONS OF CHAPTER 1 OF TITLE 16 OF THE CITY OF GREELEY MUNICIPAL CODE, ALL REGARDING THE TRAFFIC CODE IN THE CITY OF GREELEY

WHEREAS, the City of Greeley, Colorado, (the "City"), pursuant to Article XX, Section 6 of the Colorado Constitution, has the right to enact, administer and enforce ordinances relating to traffic is clearly within the constitutional grant to power to the City and is necessary to protect health, safety and welfare of the City; and

WHEREAS, more specifically, the updates contained herein will authorize the operation of golf cars owned by the city in designated golf car crossings on public ways, correct definitions in the traffic code, and allow the city manager or their designee to authorize golf cars on public ways at permitted events.

WHEREAS, it is in the best interest of the citizens of the City that this ordinance be adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF GREELEY, COLORADO:

Section 1: Sections 16-2, 16-10 and 16-576 of Chapter 1, Traffic Code, of Title 16, Vehicles and Traffic, shall be amended as shown in Appendix A.

Section 2: This ordinance shall become effective on the fifth day following its final publication as provided by Section 3-16 of the Greeley City Charter.

PASSED AND ADOPTED, SIGNED AND APPROVED ON THIS _____ DAY OF _____, 2021.

ATTEST

THE CITY OF GREELEY, COLORADO

City Clerk

Mayor

APPENDIX A

Section 1: Sections 16-2, 16-10 and 16-576 of Chapter 1, Traffic Code, of Title 16, Vehicles and Traffic, shall be amended to read as follows:

16-2. Definitions.

The following words, terms and phrases, when used in this title, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Acceleration lane means a speed-change lane, including tapered areas, for the purpose of enabling a vehicle entering a roadway to increase its speed to a rate at which it can more safely merge with through traffic.

Alley means a street or highway intended to provide access to the rear or side of lots or buildings in urban areas and not intended for the purpose of through vehicular traffic.

Authorized emergency vehicle means such vehicles of the fire department, police vehicles, ambulances, and other special-purpose vehicles as are publicly owned and operated by or for a governmental agency to protect and preserve life and property in accordance with state laws regulating emergency vehicles; the term "authorized emergency vehicle" also means such privately owned vehicles as are designated by the state motor vehicle licensing agency, necessary to the preservation of life and property, to be equipped and to operate as emergency vehicles in the manner prescribed by state law.

Authorized service vehicle means such highway or traffic maintenance vehicles as are publicly owned and operated on a highway by or for a governmental agency the function of which requires the use of service vehicle warning lights as prescribed by state law and such other vehicles having a public service function, including, but not limited to, public utility vehicles and tow trucks, as determined by the department of transportation under C.R.S. title 42, as amended from time to time. Some vehicles may be designated as both an authorized emergency vehicle and an authorized service vehicle.

Automobile means any motor vehicle.

Bicycle means every vehicle propelled solely by human power applied to pedals upon which any person may ride having two tandem wheels or two parallel wheels and one forward wheel, all of which are more than 14 inches in diameter.

Business district means the territory contiguous to and including a highway when within any 600 feet along such highway there are buildings in use for business or industrial purposes, including, but not limited to, motels, banks, office buildings, railroad stations and public buildings which occupy at least 300 feet of frontage on one side or 300 feet collectively on both sides of the highway.

Calendar year means the 12 calendar months beginning January 1 and ending December 31 of any year.

Camper coach means an item of mounted equipment, weighing more than 500 pounds, which when temporarily or permanently mounted on a motor vehicle adapts such vehicle for use as temporary living or sleeping accommodations.

Camper trailer means a wheeled vehicle having an overall length of less than 26 feet, without motive power, which is designed to be drawn by a motor vehicle over the public highways and which is generally and commonly used for temporary living or sleeping accommodations.

Chauffeur means every person who is employed for the principal purpose of operating a motor vehicle and every person who drives a motor vehicle while in use as a public or common carrier of persons or property.

Commercial carrier means any owner of a motor vehicle, truck, truck tractor, trailer or semitrailer used in the business of transporting persons or property over the public highways for profit, hire or otherwise in any business or commercial enterprise.

Controlled-access highway means every highway, street or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street or roadway.

Convicted and *conviction* include conviction in any court of record or any municipal court or acceptance of a penalty assessment notice and payment of the prescribed penalty in accordance with the provisions of article XVII of this chapter.

Court means any municipal court, county court, district court or any court having jurisdiction over offenses against traffic regulations and laws.

Crosswalk means that portion of a roadway ordinarily included within the prolongation or connection of the lateral lines of sidewalks at intersections or any portion of a roadway distinctly indicated for pedestrian crossing by lines or other marking on the surface.

Deceleration lane means a speed-change lane, including tapered areas, for the purpose of enabling a vehicle that is to make an exit turn from a roadway to slow to the safe speed on the ramp ahead after it has left the mainstream of faster moving traffic.

Divided highway means a highway with separated roadways usually for traffic moving in opposite directions, such separation being indicated by depressed dividing strips, raised curbing, traffic islands or other physical barriers so constructed as to impede vehicular traffic or otherwise indicated by standard pavement markings or other official traffic control devices as prescribed in the state traffic control manual.

Drive-away transporter or *tow-away transporter* means every person engaged in the transporting of vehicles which are sold or to be sold and not owned by such transporter, by the drive-away or tow-away methods,

where such vehicles are driven, towed or transported singly, or by saddlemount, towbar or fullmount methods, or by any lawful combination thereof.

Driver means every person, including a minor driver under the age of 18 years and a provisional driver under the age of 21 years, who drives or is in actual physical control of a vehicle.

Electric personal assistive mobility device means a three- or four-wheeled device with an electric propulsion system that limits the maximum speed of the device to 15 miles per hour or less and that is designed to transport physically disabled persons for mobility and any persons necessary to assist and accommodate said physically disabled persons.

Empty weight means the weight of any motor vehicle or trailer or any combination thereof, including the operating body and accessories, as determined by weighing on a scale approved by the state department of transportation.

Explosives and hazardous materials means any substance so defined by 49 CFR ch. 1, as amended from time to time.

Farm tractor means every motor vehicle designed and used primarily as a farm implement for drawing plows and mowing machines and other implements of husbandry.

Flammable liquid means any liquid which has a flash point of 70 degrees Fahrenheit or less, as determined by a Tagliabue or equivalent closed-cup test device.

Foreign vehicle means every motor vehicle, trailer or semitrailer which is brought into the state otherwise than in the ordinary course of business by or through a manufacturer or dealer and which has not been registered in the state.

Fullmount means a vehicle which is mounted completely on the frame of the first vehicle or last vehicle in a saddlemount combination.

Garage means any public building or place of business for the storage or repair of automobiles.

Golf ~~car~~ car means a self-propelled vehicle not designed primarily for operation on roadways and that has:

- (1) A design speed of less than 20 miles per hour;
- (2) At least three wheels in contact with the ground;
- (3) An empty weight of not more than 1,300 pounds; and
- (4) A carrying capacity of not more than four persons.

Golf car crossing means a portion of a roadway distinctly indicated for golf car crossing by traffic control devices, lines or other markings on the surface, which is approved by the city manager or their designee in conjunction with use on a golf course.

High occupancy vehicle lane means a lane designated pursuant to the provisions of C.R.S. title 42, as amended from time to time, or this chapter.

Highway means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for the purposes of vehicular travel or the entire width of every way declared to be a public highway by any law of the state.

Horn means a signaling device that produces a loud resonant sound capable of emitting sound audible under normal conditions from a distance of not less than 200 feet.

Implement of husbandry means every vehicle which is designed for agricultural purposes. The term "implement of husbandry" also includes equipment used solely for the application of liquid, gaseous and dry fertilizers. Transportation of fertilizer, in or on the equipment used for its application, shall be deemed a part of application if it is incidental to such application. It also includes hay balers, hay stacking equipment, combines, tillage and harvesting equipment, and other heavy movable farm equipment primarily used on farms and not on the highways. Trailers specially designed to move such equipment on highways shall be considered as component parts of such implements of husbandry.

Inattentive manner means the unreasonable failure to maintain a careful lookout in the direction of travel as required to safely operate the vehicle under the prevailing conditions, including, but not limited to, the nature and condition of the roadway, presence of other traffic, presence of pedestrians and weather conditions.

Intersection means the area embraced within the prolongation of the lateral curblines or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict. Where a highway includes two roadways 30 feet or more apart, every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two roadways 30 feet or more apart, every crossing of two roadways of such highways shall be regarded as a separate intersection. The junction of an alley with a street or highway does not constitute an intersection.

Lane means the portion of a roadway for the movement of a single line of vehicles.

Laned highway means a highway the roadway of which is divided into two or more clearly marked lanes for vehicular traffic.

Local authorities means every county, municipal and other local board or body having authority to adopt local police regulations under the constitution and laws of the state.

Low-power scooter means a self-propelled vehicle with not more than three wheels in contact with the ground, no manual clutch and either of the following:

- (1) Cylinder capacity not exceeding 50 cubic centimeters if powered by internal combustion; or
- (2) Wattage not exceeding 4,476 if powered by electricity. The term "low-power scooter" shall not include a toy vehicle, wheelchair or personal mobility device.

Low-speed electric vehicle means a vehicle that:

- (1) Is self-propelled utilizing electricity as its primary propulsion method;
- (2) Has at least three wheels in contact with the ground;
- (3) Does not use handlebars to steer; and
- (4) Exhibits the manufacturer's compliance with 49 CFR 565 or displays a 17-character vehicle identification number as provided in 49 CFR 565.

Manufactured home means any preconstructed building unit or combination of preconstructed building units, without motive power, where such units are manufactured in a factory or at a location other than the residential site of the completed home, which is designed and commonly used for occupancy by persons for residential purposes, in either temporary or permanent locations, and which unit or units are not licensed as a vehicle.

Markings means all lines, patterns, words, colors or other devices, except signs, set into the surface of, applied upon or attached to the pavement or curbing or to objects within or adjacent to the roadway, conforming to the state traffic control manual and officially placed for the purpose of regulating, warning or guiding traffic.

Median means any area of a street, roadway, or public driveway defined by painted, raised, or depressed channelization barriers or markers, usually in the middle of the roadway, at driveways, or at intersections, which control turning movements or separate traffic lanes.

Metal tires means all tires the surface of which in contact with the highway is wholly or partly of metal or other hard, nonresilient material.

Mobile machinery or self-propelled construction equipment means those vehicles, self-propelled or otherwise, which are not designed primarily for the transportation of persons or cargo over the public highways, and those motor vehicles which may have originally been designed for the transportation of persons or cargo over the public highways, and those motor vehicles which may have originally been designed for the transportation of persons or cargo but which have been redesigned or modified by the mounting thereon of special equipment or machinery, and which may be only incidentally-operated or moved over the public highways. The term "mobile machinery" or "self-propelled construction equipment" includes, but is not limited to, wheeled vehicles commonly used in the construction, maintenance and repair of roadways, the drilling of wells and the digging of ditches.

Motor home means a vehicle designed to provide temporary living quarters and which is built into, as an integral part of or a permanent attachment to, a motor vehicle chassis or van.

Motor vehicle means any self-propelled vehicle that is designed primarily for travel on the public highways and that is generally and commonly used to transport persons and property over the public highways or a low-

speed electric vehicle, including golf carts ~~cars~~ owned by a governmental entity when in use in conjunction with authorized governmental activities, except that the term "motor vehicle" does not include low-power scooters, wheelchairs, or vehicles moved solely by human power. For the purposes of the offenses described in C.R.S. title 42, as amended from time to time, for farm tractors operated on streets and highways, the term "motor vehicle" includes a farm tractor that is not otherwise classified as a motor vehicle.

Motorcycle means every motor vehicle that uses handlebars to steer and is designed to travel on not more than three wheels in contact with the ground, except that the term does not include a farm tractor or low-power scooter.

Motorized play vehicle means a coaster, scooter, any other alternatively fueled device or other motorized vehicle that is self-propelled by a motor engine, gas or electric, and is not otherwise defined in this Code as a low-powered scooter, motor vehicle, motorcycle, motorized bicycle, motorscooter, motorbicycle, motorized skateboard, electric personal assistive mobility device or motorized wheelchair.

Motorized skateboard means a self-propelled device, including Segways, that has a motor, gas or electric, a deck upon which a person may ride, not equipped with a seat, and at least two tandem wheels in contact with the ground and which is not otherwise defined in this Code as a motor vehicle, motorcycle, motor-driven cycle, motorized bicycle, motorized play vehicle, motorscooter, electric personal assistive mobility device or motorized wheelchair.

Motorized wheelchair means a self-propelled wheelchair that is used by a physically disabled person for mobility.

Motorscooter and *motorbicycle* means every motor vehicle designed to travel on not more than three wheels in contact with the ground, except any such vehicle as may be included within the term farm tractor, as defined in this section, and any motorized bicycle, which motor vehicle is powered by an engine of not to exceed six-brake horsepower.

Mounted equipment means any item of tangible personal property weighing more than 500 pounds which is rigidly mounted on or attached to a vehicle subsequent to its manufacture and which, when so mounted on or attached to a vehicle, becomes an integral part thereof essential to the operation of such vehicle in carrying out and accomplishing the purpose for which such vehicle is being used.

Noncommercial or recreational vehicle means a truck operated singly or in combination with a trailer or utility trailer when the truck does not exceed 6,500 pounds or a motor home, which truck or motor home is used exclusively for pleasure, enjoyment, other recreational purposes or family transportation of the owner, lessee or occupant and is not used to transport cargo or passengers for profit, hire or otherwise in any business or commercial enterprise.

Nonresident means every person who is not a resident of the state.

Off-highway vehicle shall have the same meaning as set forth in C.R.S. title 33, as amended from time to time.

Official traffic control devices means all signs, signals, markings and devices, not inconsistent with this chapter, placed or displayed by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic.

Official traffic control signal means any device, whether manually, electrically or mechanically-operated, by which traffic is alternately directed to stop and to proceed.

Owner means a person who holds the legal title of a vehicle; or, if a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee or if a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of C.R.S. title 42, arts. 1 to 4 or this chapter. The term "owner" also includes parties otherwise having lawful use or control or the right to use or control a vehicle for a period of 30 days or more.

Park or parking means the standing of a vehicle, whether occupied or not, other than very briefly for the purpose of and while actually engaged in loading or unloading property or passengers.

Parkway means the area between the street or curb and sidewalk or any pedestrian or recreation pathway. This includes landscaped or paved areas.

Pedestrian means any person afoot.

Person means every natural person, firm, copartnership, association or corporation.

Pneumatic tires means all tires inflated with compressed air.

Pole, pipe trailer or dolly means every vehicle of the trailer type having one or more axles not more than 48 inches apart and two or more wheels used in connection with a motor vehicle solely for the purpose of transporting poles or pipes and connected with the towing vehicle both by chain, rope or cable and by the load without any part of the weight of said dolly resting upon the towing vehicle. All the registration provisions of C.R.S. title 42, arts. 1 to 4, shall apply to every pole, pipe trailer or dolly.

Police officer means every officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

Private road or driveway means every road or driveway not open to the use of the public for the purposes of vehicular travel.

Railroad sign or signal means any sign, signal or device erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train.

Reasonable and prudent control means operating a motor vehicle in a well-controlled manner.

Reconstructed vehicle means any vehicle which has been assembled or constructed largely by means of essential parts, new or used, derived from other vehicles or makes of vehicles of various names, models and types or which, if originally otherwise constructed, has been materially altered by the removal of essential parts or by the addition or substitution of essential parts, new or used, derived from other vehicles or makes of vehicles.

Resident means any person who owns or operates any business in the state or any person who has resided within the state continuously for a period of 90 days or has obtained gainful employment within the state, whichever shall occur first.

Residential district means the territory contiguous to and including a highway not comprising a business district when the frontage on such highway for a distance of 300 feet or more is mainly occupied by dwellings or by dwellings and buildings in use for business.

Right-of-way means the right of one vehicle operator or pedestrian to proceed in a lawful manner in preference to another vehicle operator or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other.

Road means any highway.

Road tractor means every motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon independently or any part of the weight of a vehicle or load so drawn.

Roadway means that portion of a highway improved, designed or ordinarily used for vehicular travel, exclusive of the sidewalk, berm or shoulder even though such sidewalk, berm or shoulder is used by persons riding bicycles or other human-powered vehicles and exclusive of that portion of a highway designated for exclusive use as a bicycle path or reserved for the exclusive use of bicycles, human-powered vehicles or pedestrians. In the event that a highway includes two or more separate roadways, the term "roadway" refers to any such roadway separately but not to all such roadways collectively.

Safety zone means the area or space officially set aside within a highway for the exclusive use of pedestrians and which is so plainly marked or indicated by proper signs as to be plainly visible at all times while set apart as a safety zone.

School bus means every motor vehicle which is owned by a public or governmental agency and operated for the transportation of children to or from school or which is privately-owned and operated for compensation, but it does not include informal or intermittent arrangements, such as sharing of actual gasoline expense or participation in a carpool, for the transportation of children to or from school.

Semitrailer means any wheeled vehicle, without motive power, which is designed to be used in conjunction with a truck tractor so that some part of its own weight and that of its cargo load rests upon or is carried by such truck tractor and which is generally and commonly used to carry and transport property over the public highways.

Sidewalk means that portion of a street between the curblines or the lateral lines of a roadway and the adjacent property lines intended for the use of pedestrians.

Snow emergency means the period of time established by the director of public works or his designee when it is necessary to restrict parking on snow emergency routes to allow for the plowing and/or removal of snow.

Snowplow means any vehicle originally designed for highway snow and ice removal or control or subsequently adapted for such purposes which is operated by or for the state or any political subdivision thereof.

Solid rubber tires means every tire made of rubber other than a pneumatic tire.

Specially constructed vehicle means any vehicle which has not been originally constructed under a distinctive name, make, model or type by a generally recognized manufacturer of vehicles.

Stand or standing means the halting of a vehicle, whether occupied or not, other than momentarily for the purpose of and while actually engaged in receiving or discharging passengers.

State means a state, territory, organized or unorganized, or district of the United States.

State motor vehicle licensing agency means the motor vehicle division of the department of revenue.

State traffic control manual means the most recent edition of the Manual on Uniform Traffic Control Devices for Streets and Highways, including any supplement thereto, as adopted by the transportation commission.

Steam and electric trains includes:

- (1) The term "railroad," which means a carrier of persons or property upon cars, other than street cars, operated upon stationary rails;
- (2) The term "railroad train," which means a steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except streetcars;
- (3) The term "streetcar," which means a car other than a railroad train for transporting persons or property upon rails principally within a municipality.

Stinger-steered means a semitrailer combination configuration wherein the fifth wheel is located on a drop frame located behind and below the rearmost axle of the power unit.

Stop or stopping means, when prohibited, any halting, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic control device.

Stop line or limit line means a line which indicates where drivers shall stop when directed by an official traffic control device or a police officer.

Through highway means every highway or portion thereof on which vehicular traffic is given preferential right-of-way and at the entrances to which other vehicular traffic from intersecting highways is required by law to yield the right-of-way to vehicles on such through highway in obedience to a stop sign, yield sign or other official traffic control device when such signs or devices are erected as provided by law.

Traffic means pedestrians, ridden or herded animals, and vehicles, streetcars and other conveyances either singly or together while using any highway for the purposes of travel.

Trailer means any wheeled vehicle, without motive power and having an empty weight of more than 2,000 pounds, which is designed to be drawn by a motor vehicle and to carry its cargo load wholly upon its own structure and which is generally and commonly used to carry and transport property over the public highways.

Trailer coach means any wheeled vehicle having an overall width not exceeding eight feet and an overall length, excluding towing gear and bumpers, of not less than 26 feet and not more than 40 feet, without motive power, which is designed and generally and commonly used for occupancy by persons for residential purposes, in temporary locations and which may occasionally be drawn over the public highways by a motor vehicle and is licensed as a vehicle.

Transporter means every person engaged in the business of delivering vehicles of a type required to be registered under C.R.S. title 42, arts. 1 to 4, from a manufacturing, assembling or distributing plant to dealers or sales agents of a manufacturer.

Truck means any motor vehicle equipped with a body designed to carry property and which is generally and commonly used to carry and transport property over the public highways.

Truck tractor means any motor vehicle which is generally and commonly designed and used to draw a semitrailer and its cargo load over the public highways.

Utility trailer means any wheeled vehicle weighing 2,000 pounds or less, without motive power, which is designed to be drawn by a motor vehicle and which is generally and commonly used to carry and transport personal effects, articles of household furniture, loads of trash and rubbish, or not to exceed two horses over the public highways.

Vehicle means any device that is capable of moving itself or of being moved from place to place upon wheels or endless tracks. The term "vehicle" includes any bicycle, but does not include any wheelchair or any off-highway vehicle, snowmobile or farm tractor, or any highway vehicle, snowmobile, farm tractor or any implement of husbandry designed primarily or exclusively for use and used in agricultural operations or any device moved exclusively over stationary rails or tracks or designed to move primarily through the air.

Warning device shall have the same meaning as the term "horn" as set forth in this section.

Wheelchair means a motorized or nonmotorized wheeled device designed for use by a person with a physical disability.

16-10. Low-speed electric vehicles.

(a) A low-speed electric vehicle may be operated only on a roadway that has a speed limit equal to or less than 35 miles per hour; except that it may be operated to directly cross a roadway that has a speed limit greater than 35 miles per hour at an at-grade crossing to continue traveling along a roadway with a speed limit equal to or less than 35 miles per hour.

(b) No person shall operate a low-speed electric vehicle on a limited access highway.

(c) Golf cars shall not be operated on any public way designed primarily for motor vehicle traffic, **except as follows:**

(1) Golf cars owned by the city may be operated on a public way in a designated golf car crossing, as long as the operator of the golf car obeys all traffic laws otherwise applicable to motor vehicles.

(2) The city manager or designee may authorize the operation of golf cars on public ways during permitted events.

16-576. Authority of city manager.

(a) The city manager **or their designee** is authorized to waive the requirements of this traffic code requiring parking permits in certain areas and limiting parking time in certain areas **and allowing the operation of golf cars on public ways** during events such as parades, concerts, races, rodeos, and other celebrations.

(b) The city manager **or their designee** shall inform the chief of police in writing of the code sections waived, the time period of the waiver and the area in which code sections are waived prior to the beginning of the waiver.