

ORDINANCE 93-5

COPY

TOWN OF OPHIR, COLORADO

**AN ORDINANCE ESTABLISHING WINTER TOWING AUTHORITY AND REGULATIONST**

**WHEREAS**, the adequate and efficient plowing of Town streets is an important function to promote the health, safety and welfare of the Town of Ophir; and,

**WHEREAS**, improperly parked or abandoned vehicles present a hazard and obstruction to the proper and efficient snow removal from town streets; and,

**WHEREAS**, it is in the interest of the Town of Ophir to authorize the Town Manager to promulgate and enforce regulations for winter parking on town streets,

**NOW, THEREFORE, BE IT ORDAINED BY THE GENERAL ASSEMBLY OF THE TOWN OF OPHIR, STATE OF COLORADO, AS FOLLOWS:**

**SECTION ONE            AUTHORITY**

The Town Manager of the Town of Ophir is authorized to promulgate regulations regarding parking on the Town of Ophir public streets. The regulations may provide for enforcement by the Town Manager by towing vehicles in violation of the winter parking regulations at the vehicle owner's expense. Public notice of any winter parking regulations promulgated by the Town Manager shall be in the form of a sign announcing such regulations within 12 feet of a town street. Regulations shall become effective and enforceable upon erecting the appropriate signage.

**SECTION TWO**

In the event that the winter parking regulations are the same for all town streets, one sign noticing the public of such winter parking regulations may be posted at or near the West boundary of Town.

**SECTION THREE        SEVERABILITY**

If any provision of this ordinance or portion thereof is held by a court of competent jurisdiction to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect any other provision which can be given effect without the invalid portion.

**SECTION FOUR SAFETY CLAUSE**

The adoption of this ordinance is necessary for the immediate protection of the public health, peace, safety and welfare.

**SECTION FIVE EFFECTIVE DATE**

This ordinance shall be in full force and effect upon publication of notice of final adoption.

**FIRST READING HEARD, APPROVED AND ADOPTED AS AMENDED**  
by the General Assembly of the Town of Ophir this 21st day of December, 1993.

**Town of Ophir**

By: \_\_\_\_\_  
(Paul Machado, Town Manager)

Attest: \_\_\_\_\_  
(James Jones, Town Clerk)

(Town)  
(Seal)

Approved as to form: \_\_\_\_\_  
(Eric James Heil, Town Attorney)