

**ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY  
OF MESA, STATE OF COLORADO**

**ORDINANCE 16**

**AN ORDINANCE RESTRICTING TRAVEL IN DESIGNATED MESA COUNTY  
AREAS BY CERTAIN VEHICLES**

WHEREAS, the Board of County Commissioners of Mesa County, Colorado (the “Board”), pursuant to section 30-15-401, C.R.S., as amended, has the authority to adopt ordinances for the control of those matters of purely local concern; and

WHEREAS, sections 30-15-401(1)(h)(I), 42-4-106(2)(a), and 42-4-111(1)(g), C.R.S., as amended, authorize the adoption of ordinances to control and regulate the movement of vehicles, trucks, and commercial vehicles on public roadways within Mesa County; and

WHEREAS, Mesa County finds that the County is experiencing increased volume of traffic of large vehicles on County roads traveling through Mesa County that contribute to increased wear and tear of the road itself, increased noise, and increased traffic and safety risks for local residents; and

WHEREAS, Mesa County has adopted Ordinance 9, establishing the Mesa County Traffic Code including procedures and penalties used to enforce traffic violations within Mesa County;

WHEREAS, it is the position of the Board that the adoption of this Ordinance is necessary to preserve the public health, safety, and welfare of the citizens of Mesa County;

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Mesa County, Colorado that this Ordinance Number 16 is adopted to restrict the travel in designated Mesa County areas by certain defined vehicles as stated herein:

**Section 1: Definitions.**

1.1 “Restricted Zone” is defined as the geographic area in Mesa County, Colorado graphically described within the “Road Ordinance Boundary” displayed in Exhibit 1-Map for Mesa County Road Ordinance and the parcel of land described in Exhibit 2-Legal Description for Mesa County Road Ordinance.

1.2 “Designated Route” is defined as the following roads: Colorado State Highway 6 & 50, Interstate I-70, and Colorado State Highway 139.

1.3 “Semitrailer” is defined the same as in §42-1-102(89), C.R.S., as amended.

1.4 “Trailer” is defined the same as in §42-1-102(105), C.R.S., as amended.

1.5 “Truck” is defined the same as in §42-1-102(108), C.R.S., as amended.

## **Section 2: Intent.**

The Board finds, determines, and declares that the traffic of Trucks with attached Semitrailers and Trailers travelling through the Restricted Zone not on a Designated Route and not conducting business with local residences and business with the Zone has become a public safety hazard and a public nuisance in that the increased number of large vehicles on local roads exposes the local community to increased risk of a greater number and severity of harmful collisions on local roads, and hereby finds that the regulation of such traffic is necessary to protect the health, safety, and welfare of the citizens of unincorporated Mesa County.

## **Section 3: Restrictions and Prohibited Acts.**

3.1 The operation of a Truck with an attached Trailer or Semitrailer is prohibited on any local streets within the Restricted Zone except for within a Designated Route.

3.2 The restrictions in this section do not apply to the operation of a Truck with an attached Trailer or Semitrailer within the Restricted Zone for the purposes of delivering to a business or residence located within the Restricted Zone.

3.3 Pursuant to C.R.S. §42-4-110(1), the restrictions in this section do not apply to the operation of any vehicle on state highways.

## **Section 4: Penalty.**

4.1 Pursuant to C.R.S. §30-15-402(1), as amended, any person who violates any provision of this Ordinance commits a traffic infraction. The penalty assessment procedure provided in C.R.S. §16-2-201 may be followed by any arresting officer for any such violation. The following graduated fine schedule shall be utilized for any violations:

\$100.00 first violation;

\$500.00 second violation;

\$1000.00 for every violation beginning with the third violation and any subsequent violation.

4.2 Except as provided herein, the procedures that shall be used in the enforcement of this Ordinance, the surcharges that shall be imposed, the distribution of any fines collected, and the venue shall be the same as those adopted in Mesa County Ordinance 9 establishing the Mesa County Traffic Code.

## **Section 5: Severability.**

If any one or more of the provisions of this Ordinance are determined by a court of law to be invalid, such determination shall not affect the validity of the remaining provisions of this Ordinance.

**Section 6: Enforcement.**

The provisions of this Ordinance shall be enforced by the Mesa County Sheriff. The officers of the Colorado State Patrol shall have concurrent authority to enforce this Ordinance.