

ORDINANCE NO. 1019

**AN ORDINANCE AMENDING SECTION 60, CONCERNING PARKING METERS;
SECTION 66, CONCERNING SCHOOL BUSES; SUBSECTION (a) OF
SECTION 116, CONCERNING DRIVING WHILE UNDER THE INFLUENCE OF
INTOXICATING LIQUOR; SECTION 145, CONCERNING THE AUTHORITY OF
THE POLICE DEPARTMENT TO IMPOUND MOTOR VEHICLES; AND
SECTION 202, CONCERNING HOLIDAYS, ALL SECTIONS BEING OF
CHAPTER 47 OF THE 1953 COMPILED ORDINANCES OF THE CITY OF
GRAND JUNCTION, DENOMINATED "TRAFFIC CODE."**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

Section 1. That Section 60 of Chapter 47 of the 1953 Compiled Ordinances of the City of Grand Junction shall be amended to read as follows:

Section 60. -- Metered parking zones. -- (a) When parking meters are erected giving notice thereof, no person shall stop, stand or park a vehicle in any metered parking zone for a period of time longer than designated by said parking meters upon the deposit of a coin of United States currency of the designated denomination on any day except Sundays and full legal holidays, upon any of the streets described in Schedule VII attached to and made a part of this Ordinance.

(b) Every vehicle shall be parked wholly within the metered parking space for which the meter shows parking privilege has been granted, and with the front end of such vehicle immediately opposite the parking meter for such space.

(c) It is a violation of this ordinance for any person to deposit or attempt to deposit in any parking meter any thing other than a lawful coin of the United States, or any coin that is bent, cut, torn, battered, or otherwise misshapen. It is a violation of this ordinance for any unauthorized person to remove, deface, tamper with, open, willfully break, destroy, or damage any parking meter, and no person shall willfully manipulate any parking meter in such a manner that the indicator will fail to show the correct amount of unexpired time before a violation.

(d) The regulations established by this Section shall also apply in metered offstreet parking areas designated by the Council.

Section 2. That Section 66 of Chapter 47 of the 1953 Compiled Ordinances of the City of Grand Junction shall be amended to read as follows:

Section 66. -- Overtaking and passing school bus -- School Bus to bear sign -- Where school bus to stop. -- (a) The driver of a vehicle upon any highway, road or street in the City, upon meeting or overtaking from either direction any school bus which has stopped for the purpose of receiving or discharging a school child or school

children, shall stop his vehicle before reaching such school bus if there is in operation on said school bus visual signal lights as specified in subsection (b) of this section, and said driver shall not proceed until such school bus resumes motion or until the driver of such vehicle is signaled by the school bus driver to proceed or until the visual signal lights are no longer being actuated; provided, that in the case of small passenger type vehicles having a seating capacity of not more than six, and if such vehicles are operated as school buses but not owned by the school district, no such visual signal lights need be displayed or actuated.

(b) Every school bus used for the transportation of school children shall bear upon the front and rear thereof plainly visible and legible signs containing the words "SCHOOL BUS" in letters not less than eight inches in height, and except as provided in subsection (a) of this section in the case of small passenger type vehicles, shall display four visual signal lights which shall be two alternating flashing red lights visible to the drivers of vehicles approaching from the front of said bus and two alternating flashing red lights visible to the drivers of vehicles approaching from the rear of such bus; said visual signal lights shall be mounted as high as practicable, be as widely spaced laterally as practicable, and shall be located on the same level. Said lights shall have sufficient intensity to be visible at five hundred feet in normal sunlight, and which signal lights shall be actuated by the driver of said school bus whenever such vehicle is stopped for the purpose of receiving or discharging school children, and at no other time.

(c) When a school bus is being operated for purposes other than the actual transportation of children either to or from school, all markings thereon indicating that the vehicle is a "school bus" shall be covered or concealed.

(d) The driver of a vehicle upon a highway with separate roadways need not stop upon meeting or passing a school bus which is on a different roadway.

(e) Every school bus shall stop as far to the right off the highway, road or street as possible before discharging or loading passengers and, when possible, shall not stop where the visibility is obscured for a distance of two hundred feet either way from the bus.

Section 3. That Subsection (a) of Section 116 of Chapter 47 of the 1953 Compiled Ordinances of the City of Grand Junction shall be amended to read as follows:

Section 116. -- Driving while under the influence of liquor or drugs. -- (a) It is a violation of this ordinance for any person while under the influence of intoxicating liquor or Narcotic drugs, or any other drugs, or who is an habitual user of narcotic drugs or other drugs, to drive any vehicle upon any street within this municipality.

(1) In any criminal prosecution for a violation of subsection (a) of this section, the amount of alcohol in the defendant's blood at the time of the commission of the alleged

offense, or within a reasonable time thereafter, as shown by chemical analysis of the defendant's blood, urine, breath or other bodily substance shall give rise to the following presumptions:

- (a') If there was at such time 0.05 per cent or less by weight of alcohol in the defendant's blood, it shall be presumed that the defendant was not under the influence of intoxicating liquor.
- (b') If there was at such time in excess of 0.05 per cent, but less than 0.15 per cent by weight of alcohol in the defendant's blood, such fact shall not give rise to either a presumption that the defendant was or was not under the influence of intoxicating liquor, but such fact may be considered with other competent evidence in determining the guilt or innocence of the defendant.
- (c') If there was at such time 0.15 per cent or more by weight of alcohol in the defendant's blood, it shall be presumed that the defendant was under the influence of intoxicating alcohol.

(2) The limitations of subsection (1) of this section shall not be construed as limiting the introduction, reception or consideration of any other competent evidence bearing upon the question of whether or not the defendant was under the influence of intoxicating liquor. No person shall be required to take a blood alcohol or other test without his consent; and failure to take a blood alcohol or other test shall not be presumed as guilt on the part of the person so refusing to take the said test.

Section 4. That Section 145 of Chapter 47 of the 1953 Compiled Ordinances of the City of Grand Junction shall be amended to read as follows:

Section 145. -- Authority to impound vehicles. -- (a) Members of the police department are hereby authorized to remove a vehicle from a street to the nearest garage or other place of safety, or to a garage designated or maintained by the police department, or by this municipality, under the circumstances hereinafter enumerated:

(1) When any vehicle is left unattended upon any bridge, causeway, or viaduct, or in any subway, where such vehicle constitutes an obstruction to traffic.

(2) When a vehicle upon a street is so disabled as to constitute an obstruction to traffic, or the person or persons in charge of the vehicle are by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody and removal.

(3) When a vehicle is found being driven upon the streets and is not in proper condition to be driven.

(4) When any vehicle is left unattended upon a street and is so parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic.

(5) When any vehicle is left unattended upon a street continuously for more than 72 hours and may be presumed to be abandoned.

(6) When the driver of such vehicle is taken into custody by the police department and such vehicle would thereby be left unattended upon a street.

(7) When removal is necessary in the interest of public safety because of fire, flood, storm, or other emergency reason.

(8) When any motor vehicle has 4 delinquent traffic violation notices against it.

(9) Any violator taken into custody pursuant to Section 137 may at the discretion of the Police Magistrate be released without posting bond, if he agrees to the impounding in a garage authorized by this ordinance of the vehicle owned and driven by him to insure his appearance in the municipal court to answer the charges against him, and pay such fine as may be assessed against him.

(10) No vehicle impounded in an authorized garage as herein provided shall be released therefrom until the charges for towing such vehicle into the garage, and storage charges have been paid. The charge for towing or removal of any such vehicle and storage charges shall be fixed by the police magistrate, such charges to be based upon a computation of all actual expenses entering into the current cost of such services. Such charge or charges shall be posted for public inspection in the office of the municipal clerk or the traffic violations bureau, and in any authorized garage.

Section 5. That Section 202 of Chapter 47 of the 1953 Compiled Ordinances of the City of Grand Junction shall be amended to read as follows:

Section 202. -- Holidays. -- Where used in this ordinance or on official signs erected by authorized official agencies shall in addition to Sundays mean the days hereinafter set out, to-wit:

New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Armistice Day, Thanksgiving Day, and Christmas Day.

PASSED AND ADOPTED THIS 2nd day of October, 1957.

/s/ John S. Emerson
President of the City Council

ATTEST:

/s/ Helen C. Tomlinson
City Clerk

I HEREBY CERTIFY that the foregoing ordinance, being Ordinance No. 1019 was introduced, read and ordered published by the City Council of the City of Grand Junction, Colorado, at a regular meeting of said body held on the 18th day of September, 1957, and that the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City at least ten days before its final passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City, this 3rd day of October, 1957.

/s/ Helen C. Tomlinson
City Clerk

Proof of Publication Oct. 4, 1957
Proof of Publication Sept. 20, 1957