

## ORDINANCE NO. 521

### AN ORDINANCE PROHIBITING DRIVING OR PARKING OF TRUCKS, TRUCK TRACTORS, AND TRAILERS ON ANY STREETS, ALLEYS, TOWN LEASED OR OWNED PARKING LOTS AND PUBLIC RIGHTS OF WAY WITHIN THE TOWN LIMITS OF THE TOWN OF HOLLY, COLORADO AND PROVIDING PENALTIES FOR VIOLATIONS AND PROVIDING CERTAIN EXCEPTIONS

BE IT ORDAINED BY THE TOWN OF HOLLY BOARD OF TRUSTEES:

**SECTION 1. Definitions.** The definition of trucks, truck tractors, and trailers as used in this Ordinance are as follows:

- a. "TRUCKS" means every motor vehicle which is used for the transportation or delivery of freight, merchandise, agricultural produce, products, livestock and having more than two (2) axles and a gross vehicle weight of more than 12,000 pounds according to the manufacturer's plate attached thereto, or having two (2) axles and an overall length of more than 30 feet.
- b. "TRUCK TRACTOR" means every motor vehicle designed and used primarily for drawing other vehicles.
- c. "TRAILER" means every vehicle without motive power designed to carry property wholly on its own structure and to be drawn by a motor vehicle and having an overall length exceeding 12 feet or having an overall width exceeding 6 feet.

**SECTION 2. Unlawful Parking.** It shall be unlawful for any person to park a truck, truck tractor or trailer, as herein defined, within the Town limits of the Town of Holly, Colorado on any street, alley, public right of way and on any Town leased or owned parking lots, unless specifically designated to allow such parking or as otherwise provided in this Ordinance. Noise, exhaust, or release of offensive odor is prohibited, therefore parking of truck, truck tractor or trailer within 10 feet of an adjoining property shall be unlawful.

**SECTION 3. Exceptions.** The prohibition of truck, truck tractor, or trailer parking shall not apply in the following circumstances, as long as said parking is otherwise lawful.

- a. Parking for the purpose of delivering or loading freight or other property during the process of loading or unloading said freight or other property.
- b. Parking while waiting in line to deliver or pickup agricultural products or produce at a commercial grain storage facility during its hours of operation, as long as the driver remains in attendance of the vehicle.
- c. Parking of vehicles owned or operated by the United States of America, the State of Colorado, Prowers County, the Town of Holly, Colorado, or any governmental subdivision thereof.
- d. Parking in a Town owned or leased parking lot designed or designated for trucks, truck tractors, or trailer parking.
- e. Parking a trailer attached to a lawfully insured, registered and immediately operable motor vehicle not otherwise prohibited from parking by this ordinance.

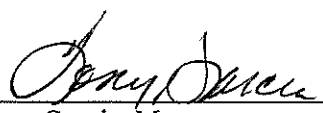
**SECTION 4. Penalties for violation.** Any person convicted of violation of this ordinance shall be guilty of a non-moving traffic ordinance and fined not more than \$100.00 for a first offense and upon conviction of a second or subsequent violation shall be fined not more than \$500.00.

**SECTION 5.** The Board of Trustees of the Town of Holly may, by resolution, adjust or change Sections 1 through Section 4 contained herein; or, may adjust or rename any classification, or cause a new classification to be named by virtue of resolution.

**SECTION 6. Effective Dates.** This ordinance shall take effect and be in full force and effect from and after its publication in the official Town newspaper, provided however that no person shall be charged with violation of this Ordinance until April 7, 2018.

Introduced, read, and published the 7<sup>th</sup> day of February, 2018.

Passed, adopted and approved the 7<sup>th</sup> day of March, 2018.

  
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Tony Garcia, Mayor

ATTEST:

  
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Megan Jara, Clerk/Treasurer

Date of final publication: March 27, 2018