

## CHAPTER 8

### Vehicles and Traffic

#### **Article I Model Traffic Code**

- Sec. 8-1-10 Model Traffic Code adopted
- Sec. 8-1-20 Amendments or modifications
- Sec. 8-1-30 Application of Model Traffic Code
- Sec. 8-1-40 Interpretation
- Sec. 8-1-50 Certification; copy on file
- Sec. 8-1-60 Fine and surcharge schedule
- Sec. 8-1-70 Penalties; penalty assessments; automatic points assessment reduction; parental notification; driver's license

#### **Article II Abandoned Vehicles**

- Sec. 8-2-10 Abandonment of vehicle
- Sec. 8-2-20 Towing authorized; redemption
- Sec. 8-2-30 Notice prior to towing; exceptions; hearing

#### **Article III Snowmobile Regulations**

- Sec. 8-3-10 Snowmobile on streets
- Sec. 8-3-20 Age requirement; registration
- Sec. 8-3-30 Application of laws
- Sec. 8-3-40 Owner responsibility
- Sec. 8-3-50 Right-of-way
- Sec. 8-3-60 Speed limit established
- Sec. 8-3-70 Equipment requirements
- Sec. 8-3-80 Towing restrictions
- Sec. 8-3-90 Noise restrictions
- Sec. 8-3-100 Penalty

## ARTICLE I

## Model Traffic Code

**Sec. 8-1-10. Model Traffic Code adopted.**

Pursuant to Parts 1 and 2 of Article 16 of Title 31 and Part 4 of Article 15 of Title 30, C.R.S., there is hereby adopted by reference the 2010 edition of the *Model Traffic Code* promulgated and published by the Colorado Department of Transportation, Safety and Traffic Engineering Branch, 4201 East Arkansas Avenue, EP 700., Denver, CO, 80222, as modified in Section 8-1-20 below. The subject matter of the Model Traffic Code relates primarily to comprehensive traffic control regulations for the Town. The purpose of this Article and the code adopted herein is to provide a system of traffic regulations consistent with state law and generally conforming to similar regulations throughout the State and the Nation. Three (3) copies of the Model Traffic Code adopted herein are now filed in the office of the Town Clerk and may be inspected during regular business hours. (Ord. 3, 2011 §1)

**Sec. 8-1-20. Amendments or modifications.**

The 2010 edition of the Model Traffic Code is adopted as if set out at length, save and except the following additions, deletions or modifications:

(1) Section 105 is hereby deleted in its entirety.

(2) Subsection 110(4) is modified to read as follows:

"The appropriate local court shall have jurisdiction over violations of traffic regulations enacted or adopted by the Board of Trustees."

(3) In Subsection 223(1), all references to "section 235(1)(a)" are modified to read "section 42-4-235(1)(a), C.R.S."

(4) In Subsection 225(3), the reference to "section 205(5.5)(a)" is modified to read "section 43-4-205(5.5)(a), C.R.S."

(5) In Subsection 228(5)(c)(III), the reference to "section 235(1)(a)" is modified to read "section 42-4-235(1)(a), C.R.S."

(6) In Subsection 229(4), the reference to "section 219" is modified to read "section 42-3-219, C.R.S."

(7) In Subsection 236(1)(a), the reference to "Code 6" is modified to read "Article 6."

(8) In Subsection 237(3)(g), the reference to "section 235(1)(a)" is modified to read "section 42-4-235(1)(a), C.R.S."

(9) In Subsection 238(1), the reference to "section 42-1-102(6)" is modified to read "section 42-1-102(6), C.R.S."

(10) In Subsection 239(5), all references to "section 42-4-1701(3)" are modified to read "section 42-4-1701(3), C.R.S."

(11) In Subsection 504(4), the reference to "section 42-4-510" is modified to read "section 42-4-510, C.R.S."

(12) Section 602 is hereby deleted in its entirety.

(13) In Subsection 604(1)(a)(III), the reference to "section 42-4-802" is modified to read "section 42-4-802, C.R.S."

(14) In Subsection 608(1), the reference to "section 42-4-903" is modified to read "section 42-4-903, C.R.S." and the reference to "section 42-4-609" is modified to read "section 42-4-609, C.R.S."

(15) In Subsection 613, the reference to "Code 4" is modified to read "Article 4."

(16) Subsection 614(1)(a) is modified to read as follows:

"If maintenance, repair, or construction activities are occurring or will occur within four hours on a portion of a state highway, the department of transportation may designate such portion of the highway as a highway maintenance, repair, or construction zone. Any person who commits the equivalent to certain State violations listed in section 42-4-1701(4), C.R.S., in a maintenance, repair, or construction zone that is designated pursuant to this section is subject to the increased penalties and surcharges imposed by section 42-4-1701(4)(c), C.R.S."

(17) Subsection 614(1)(b) is modified to read as follows:

"If maintenance, repair, or construction activities are occurring or will occur within four hours on a portion of a roadway that is not a state highway, the public entity conducting the activities may designate such portion of the roadway as a maintenance, repair, or construction zone. A person who commits the equivalent to certain State violations listed in section 42-4-1701(4), C.R.S., in a maintenance, repair, or construction zone that is designated pursuant to this section is subject to the increased penalties and surcharges imposed by section 42-4-1701(4)(c), C.R.S."

(18) In Subsection 615(1), the reference to "section 1701(4)(d)" is modified to read "section 42-4-1701(4)(d), C.R.S."

(19) In Subsection 705(3)(b), the reference to "section 42-4-1402" is modified to read "section 42-4-1402, C.R.S."

(20) In Subsection 805(5), the reference to "section 111" is modified to read "section 42-4-111, C.R.S." and the reference to "section 111(2)" is modified to read "section 42-4-111(2), C.R.S."

(21) In Subsection 1010(1), the reference to "section 42-4-902" is modified to read "section 42-4-902, C.R.S."

(22) Subsection 1010(3) is modified to read as follows:

"Local authorities may by ordinance consistent with the provisions of section 43-2-135(1)(g), C.R.S., with respect to any controlled-access highway under their respective jurisdictions, prohibit the use of any such highway by any class or kind of traffic which is found to be incompatible with the normal and safe movement of traffic. After adopting such prohibitory regulations, local authorities, or their designees, shall install official traffic control devices in conformity with the standards established by section 601 at entrance points or along the highway on which such regulations are applicable. When such devices are so in place, giving notice thereof, no person shall disobey the restrictions made known by such devices."

(23) Subsection 1012(2.5)(c) is modified to read as follows:

"Local authorities, with respect to streets and highways under their respective jurisdictions, shall provide information via official traffic control devices to indicate that ILEVs and, subject to subparagraph (I) of paragraph (a) of this subsection (2.5), hybrid vehicles may be operated upon high occupancy vehicle lanes pursuant to this section. Such information may, but need not, be added to existing printed signs, but as existing printed signs related to high occupancy vehicle lane use are replaced or new ones are erected, such information shall be added. In addition, whenever existing electronic signs are capable of being reprogrammed to carry such information, they shall be so reprogrammed."

(24) In Subsection 1012(3)(b), the reference to "section 1701(4)(a)(I)(K)" is modified to read "section 42-4-1701(4)(a)(I)(K), C.R.S."

(25) Section 1101(1) shall be modified by deleting therefrom the existing Subsection 1101(1) and substituting in its place the following:

"No person shall drive a vehicle on a street or highway within this municipality at a speed greater than is authorized in this section 1101, and in no event greater than seventy (70) miles per hour."

(26) Subsection 1101(4) shall be modified by deleting therefrom the existing Subsection 1101(4) and substituting in its place the following:

"(4) The speed limits specified in subsection 1101(2) hereof shall be considered maximum lawful speed limits and not *prima facie* speed limits."

(27) Subsection 1105(7)(c) is modified to read as follows:

"The failure of the owner of the immobilized motor vehicle to request removal of the immobilization device and pay the fee within fourteen days after the end of the immobilization period ordered by the court or within the additional time granted by the court pursuant to paragraph (d) of this subsection (7), whichever is applicable, shall result in the motor vehicle being deemed an 'abandoned vehicle,' as defined in section 1802(1)(d) and section 42-4-2102(1)(d), C.R.S., and subject to the provisions of part 18 of this Code and part 21 of article 4 of title 42, C.R.S., whichever is applicable. The law enforcement agency entitled to payment of the fee under this subsection (7) shall be eligible to recover the fee if the abandoned motor vehicle is sold, pursuant to section 1809(2)(b.5) or section 42-4-2108(2)(a.5), C.R.S."

(28) Subsection 1105(8)(b) is modified to read as follows:

"No person may remove the immobilization device after the end of the immobiliza-

tion period except the law enforcement agency that placed the immobilization device and that has been requested by the owner to remove the device and to which the owner has properly paid the fee required by subsection (7) of the section. Nothing in this subsection (8) shall be construed to prevent the removal of an immobilization device in order to comply with the provisions of part 18 of this Code or part 21 of article 4 of title 42, C.R.S."

(29) Section 1204 shall be modified by the addition of Subsection 1204(1)(l) to read as follows:

"(l) Within emergency access lanes designated pursuant to powers designated to the Town under state law, so as to obstruct designated and marked emergency access lanes anywhere within the municipality of the Town of Fairplay. This prohibition against stopping, standing or parking a vehicle within said designated emergency access lanes shall be applicable to all property, whether public or private within the Town of Fairplay, and shall prohibit the parking, stopping or standing of any vehicle within said emergency access lanes except emergency vehicles (i.e., police cars, fire department vehicles, ambulances, EMT vehicles, etc.) during the answering of an emergency call."

(30) Section 1208 of the *Model Traffic Code* shall be modified by deleting therefrom the existing Section 1208 and substituting in its place the following:

**"1208. Parking for persons with mobility handicaps.**

"a. Any motor vehicle with distinguishing license plates or an identifying placard obtained by a person with a mobility handicap as prescribed by law, may be parked in a parking space identified as being reserved for use by the handicapped, whether on public property or private property available for public use; or in

any public parking area along any public street in one and two-hour time limit zones or at parking meters during hours parking is permitted regardless of any time limitation imposed upon parking along such streets.

"b. It shall be unlawful for persons with mobility handicaps to be parked along public streets, or in designated parking spaces on public or private property:

"1. During such times when all stopping, standing or parking of all vehicles is prohibited;

"2. When only special vehicles may be parked;

"3. When parking is not allowed during specific periods of the day in order to accommodate heavy traffic.

"c. The owner of private property available for public use may install signs prescribed by the traffic engineer identifying parking spaces designated to specifications of the traffic engineer and reserved for use by the handicapped. Such installations shall be a waiver of any objection the owner may assert concerning enforcement of this section by officers, or parking control persons, and said persons are hereby authorized and empowered to enforce this section of the code.

"d. It shall be unlawful for any person who does not have a mobility handicap to exercise the parking privilege defined in this section.

"e. It shall be unlawful for any motor vehicle without distinguishing license plates or any identifying placard obtained by a person with mobility handicap as prescribed by law to be parked in a parking space identified as being reserved for use by the handicapped. Notwithstanding any other provision of the *Model Traffic Code*, the penalty resulting from conviction of a violation of this section 1208 or any subpart thereof shall be as set forth in Chapter 1, Article IV of

the Fairplay Municipal Code. In enforcing this section 1208, the municipal court shall not have the authority to suspend all or any part of any fine or violation hereof so as to result in a fine of less than fifty dollars (\$50.00), it being the intent of the Board of Trustees of the Town of Fairplay that section 1208 of this Code be strictly and diligently enforced so as to provide adequate parking of persons with mobility handicaps free from the interference of those not so handicapped."

(31) In Subsection 1210(1), the reference to "section 42-1-102(64)" is modified to read "section 42-1-102(64), C.R.S."

(32) In Subsection 1401(1), the reference to "section 127" is modified to read "section 42-2-127, C.R.S."

(33) In Subsection 1402(1), the reference to "section 127" is modified to read "section 42-2-127, C.R.S."

(34) In Subsection 1406(5)(6)(II), the reference to "section 1701(4)(a)(I)(N)" is modified to read "section 42-4-1701(a)(I)(N), C.R.S."

(35) In Subsection 1408(1), the reference to "Code 1" is modified to read "Article 1" and the reference to "Code 20" is modified to read "Article 20."

(36) In Subsection 1409(4)(a), all references to "section 42-4-1701(3)(a)(II)(A)" are modified to read "section 42-4-1701(3)(a)(II)(A), C.R.S."; and all references to "section 42-3-113(2) and (3)" are modified to read "section 42-3-113(2) and (3), C.R.S."

(37) In Section 1412, all references to "section 111" are modified to read "section 42-4-111, C.R.S."; the reference to "Code 10" is modified to read "Article 10"; and all references to "section 127" are modified to read "section 42-2-127, C.R.S."

(38) In Section 1415, the reference to "section 42-4-1701(3)(a)(II)(A)" is modified to read "section 42-4-1701(3)(a)(II)(A), C.R.S."

(39) Section 1701 is deleted in its entirety. Any references to section 1701 in the Model Traffic Code shall be deemed to refer to Section 8-1-70 of this Article.

(40) Subsection 1702(2) is modified to read as follows:

"Violations of sections 238, 607(2)(b), 1402(2), and 1409 of this Code are class 1 traffic misdemeanors."

(41) Subsection 1702(3) is modified to read as follows:

"Violations of sections 107, 233, 507, 508, 509, 510, 1105, 1401, 1402(1), 1407, 1412, 1413, 1704, 1716(2) and 1903(1)(a) of this Code are class 2 traffic misdemeanors."

(42) Subsection 1702(6) is modified to read as follows:

"The Board of Trustees may adopt a fine and surcharge schedule for penalty assessment violations."

(43) In Section 1709, all references to "section 42-2-127" are modified to read "section 42-2-127, C.R.S." and all references to "section 42-4-1701" are modified to read "section 42-4-1701, C.R.S."

(44) Subsection 1709(4) is deleted in its entirety.

(45) In Section 1805, all references to "section 42-4-1804(4)" are modified to read "section 42-4-1804(4), C.R.S."; all references to "section 42-4-1810(1)(b)" are modified to read "section 42-4-1810(1)(b), C.R.S."; the reference to "part 1 of Code 6 of this title" is modified to

read "part 1 of article 6 of title 42, C.R.S."; and the reference to "Code 6 of title 12, C.R.S." is modified to read "article 6 of title 12, C.R.S."

(46) In Section 1809, all references to "section 42-4-1805" are modified to read "section 42-4-1805, C.R.S." and all references to "section 42-4-1802(1)" are modified to read "section 42-4-1802(1), C.R.S."

(47) In Section 1814, the reference to "section 42-13-106" is modified to read "section 42-13-106, C.R.S." (Ord. 3, 2011 §1; Ord. No. 2014-5, § 1, 5-5-2014)

**Sec. 8-1-30. Application of Model Traffic Code.**

This Article shall apply to every street, alley, sidewalk area, driveway, park and to every other public way or public parking area, either within or outside the corporate limits of the Town, the use of which the Town has jurisdiction and authority to regulate. The provisions of Sections 1401, 1402, 1413 and Part 16 of the adopted Model Traffic Code, respectively concerning reckless driving, careless driving, eluding a police officer and accidents and accident reports, shall apply not only to public places and ways but also throughout the Town. (Ord. 3, 2011 §1)

**Sec. 8-1-40. Interpretation.**

This Article shall be so interpreted and construed as to effectuate its general purpose to conform with the State's uniform system for the regulation of vehicles and traffic. Article and section headings of this Article and the adopted Model Traffic Code shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or extent of the provisions of any article or section thereof. (Ord. 3, 2011 §1)

**Sec. 8-1-50. Certification; copy on file.**

The Town Clerk shall certify to the passage of the ordinance codified herein and make not less than one (1) copy of the adopted code available for

inspection by the public during regular business hours. (Ord. 3, 2011 §1)

**Sec. 8-1-60. Fine and surcharge schedule.**

(a) Adoption. Pursuant to Part 17 of the 2010 Model Traffic Code, the Town hereby adopts the following penalty assessments and surcharges for violations of the Model Traffic Code, as previously adopted in this Article.

(b) Fines.

(1) Every person convicted of a violation of any provisions of the Model Traffic Code shall be assessed a fine pursuant to Section 42-4-1701, C.R.S.

(2) The fine imposed for speeding violations under this Section shall be doubled if the violation occurs within a designated school zone.

(3) The fine imposed for speeding violations under this Section shall be doubled if the violation occurs within a designated maintenance, repair or construction zone.

(c) Surcharges. Every person convicted of a violation of any provision of the Model Traffic Code shall be assessed, in addition to any fines, a fifteen-dollar surcharge. This surcharge is to be collected by the Municipal Court Clerk and credited to the Police Department, to be used as necessary for equipment and training. (Ord. 3, 2011 §1)

**Sec. 8-1-70. Penalties; penalty assessments; automatic points assessment reduction; parental notification; driver's license.**

(a) It is unlawful for any person to violate any of the provisions of the MTC, other than those violations set forth in Section 8-1-50 above, or any other traffic or vehicle ordinances adopted by the

Town. Other than the penalties set forth below shall apply to such violations. Fines, court costs and surcharges shall be paid to the Court Clerk.

(1) In criminal traffic offense actions, the penalty shall be as set forth in Chapter 1, Article IV of this Code.

(2) In civil traffic infraction matters, the penalty shall be as set forth in Chapter 1, Article IV of this Code provided, however, that no term of imprisonment shall be imposed.

(b) Except as otherwise specifically provided, a peace officer shall issue a penalty assessment for all traffic infractions. Whenever a peace officer issues a summons and complaint for an alleged criminal traffic offense, the officer, in his or her discretion, may instead offer a penalty assessment notice. Notwithstanding the foregoing, no penalty assessment notice shall be issued or offered when:

(1) A violator exceeds the reasonable and prudent speed by more than nineteen (19) miles per hour;

(2) The violation caused, or contributed to the cause of, an accident resulting in damage to property of another in an amount not less than two hundred dollars (\$200.00), or in injury or death to any person;

(3) More than one (1) violation is alleged, one (1) or more of which constitutes a criminal traffic offense;

(4) The violation is for failure to comply with motor vehicle compulsory insurance laws; and

(5) When the officer issuing the notice knows, or reasonably believes, that the alleged violator or vehicle has been involved in a criminal violation of any law of the Town for which there has been a conviction in a court of competent jurisdiction and for which the sentence or judgment (be it fine or imprisonment) remains as yet unsatisfied.



No person shall be entitled to elect to pay a penalty assessment unless an offer of a penalty assessment notice has been made under this Subsection.

(c) Any person offered a penalty assessment notice may elect to pay the penalty assessment and appropriate surcharge instead of proceeding to trial on the alleged violation. The amount of the penalty assessment and surcharge shall be as provided on the penalty assessment notice. Payment of a penalty assessment and corresponding surcharge constitutes complete satisfaction of the alleged violation if the prescribed payment is post-marked or received by the Town within twenty (20) days following service of the penalty assessment on the person charged with the violation. Payment of a penalty assessment and surcharge constitutes an acknowledgment of liability for the violation described in the notice. If the person offered a penalty assessment notice elects not to make full and timely payment thereunder, an action on the alleged violation shall proceed as otherwise provided by law.

(d) If a person receives a penalty assessment notice of a violation of the Model Traffic Code and such person pays the fine and surcharge for the violation on or before the date the payment is due, the points assessed for such violation under the point system schedule adopted at Section 42-2-127, C.R.S., shall be reduced as follows:

(1) For a violation having an assessment of three (3) or more points, the points shall be reduced by two (2) points.

(2) For a violation having an assessment of two (2) points, the points shall be reduced by one (1) point.

(3) The point reductions as provided for in this Section shall only be valid in accordance with the authority provided to municipalities under Section 42-2-127(5.6), C.R.S., and in the event such statute is amended and/or repealed, this Section shall, correspondingly, be amended and/or repealed.

(e) Whenever a minor driver receives a summons or penalty assessment notice for a traffic offense or traffic infraction, the minor's parent or legal guardian or, if the minor is without parents or guardian, the person who signed the minor driver's application for a license shall immediately be notified by the Court Clerk of such summons or penalty assessment notice. A failure to provide such notice shall not in any way diminish or limit the jurisdiction of the Court over the juvenile or the traffic violation or infraction.

(f) The Court Clerk shall notify the Colorado Department of Revenue, whenever a judgment entered against a person for a violation of the Model Traffic Code, excluding violations related to parking, remains outstanding, or a bench warrant issued against any person for a failure to appear to answer for an alleged violation of the Model Traffic Code, excluding violations relating to parking, remains outstanding, in order that such person shall not be allowed or permitted to obtain or renew a driver's license as provided for in Section 42-4-1709(7)(a), C.R.S. (Ord. 3, 2011 §1; Ord. No. 2014-5, § 2, 5-5-2014)

## ARTICLE II

### Abandoned Vehicles

#### Sec. 8-2-10. Abandonment of vehicle.

(a) It is unlawful for any person to abandon any vehicle within the Town.

(b) It is unlawful for any person to leave any vehicle unattended and unmoved on any public street, highway or right-of-way within the Town for more than seventy-two (72) consecutive hours.

(c) It is unlawful for any person who is the owner of any vehicle or any person who is in charge or control of any vehicle, or for any person who owns property or is in charge or control of property, as tenant, lessee, occupant, renter or otherwise, to permit or allow any abandoned or junked vehicle, or parts thereof, to remain on such property; provided, however, that this Section shall



not apply to a vehicle or parts of a vehicle in a completely enclosed building, a vehicle on the premises of a business enterprise operated in a lawful place and manner when such vehicle is necessary to the operation of such business enterprise, or a vehicle in an appropriate storage place or depository maintained by a licensed automobile repair business or automobile towing or impoundment business. (Ord. 7, 1984 §122; Ord. 11, 2002 §1)

**Sec. 8-2-20. Towing authorized; redemption.**

Any police officer of the Town is authorized to have any abandoned or junked vehicles towed from a public right-of-way or from Town-owned property by a towing service designated by the Town. A list of the authorized towing services shall be available for public inspection in the office of the Town Clerk. All towing and impoundment charges shall be paid by the owner or by the person redeeming a towed vehicle prior to its release. (Ord. 7, 1984 §122; Ord. 11, 2002 §1)

**Sec. 8-2-30. Notice prior to towing; exceptions; hearing.**

(a) Prior to towing an abandoned or junk vehicle from public property, the police officer shall securely affix to the vehicle a conspicuous warning notice indicating that the vehicle is in violation of this Article and the reason for such belief, that if the vehicle is not moved within forty-eight (48) hours from the date of the notice, either a summons may be served or the vehicle may be towed, or both, that any towing and storage charges must be paid by the owner prior to recovery of the vehicle, and that the owner should contact the Police Department. If the vehicle is not moved or the owner has made no arrangements with the Police Department for an extension of time prior to the expiration of the forty-eight-hour period, the following procedures shall be followed:

(1) The vehicle may be towed at the direction of a police officer if he or she has been unable, after reasonable effort, to determine the identity or location of the owner.

(2) If the owner's identity and address are known, a police officer shall attempt to serve upon the owner a summons and complaint for a violation of this Section.

(3) If the owner's identity and address are known, but a reasonable attempt to serve the summons and complaint upon the owner has been unsuccessful, the vehicle may be towed at the direction of a police officer.

(b) Nothing contained in this Article shall prohibit the immediate towing of a vehicle from a public right-of-way or other public property that is obstructing traffic flow or that otherwise poses an immediate threat to public safety.

(c) Any owner who believes that his or her vehicle was towed or impounded in violation of the terms of this Article and who wishes to contest the same may file a written notice of appeal with the Town Clerk within five (5) business days of the date of such towing and/or impoundment, or the date the owner received notice of same. The Town Clerk shall promptly provide the notice of appeal to the Mayor, who shall review the facts and circumstances regarding the towing and/or impoundment and render a decision thereon. If the Mayor finds that the towing or impoundment was performed contrary to the terms of this Article, or was in some other way improperly performed, the Mayor shall waive or order the refund of some or all of the towing and/or impoundment fees charged the owner. In the absence of the Mayor, the Mayor Pro Tem shall hear any appeal submitted under this Section.

(d) As soon as possible, but in no event later than three (3) working days after having an abandoned motor vehicle towed, the Police Chief shall report same to the Colorado Department of Revenue in accordance with Section 42-4-1804, C.R.S. (Ord. 7, 1984 §122; Ord. 11, 2002 §1)

**ARTICLE III**

**Snowmobile Regulations**

**Sec. 8-3-10. Snowmobile on streets.**

Subject to the provisions of this Article, an operator may operate a snowmobile upon Town

streets other than streets or roads that are part of the state highway system. (Ord. 1, 1989 §1)

**Sec. 8-3-20. Age requirement; registration.**

Every operator of a snowmobile on Town streets shall be at least sixteen (16) years old, or if from ten (10) through fifteen (15) years old, shall possess a Snowmobile Safety Certificate and at all times be directly escorted by someone sixteen (16) years or older. *Directly escorted* means that the operator who is sixteen (16) years or older shall drive directly in front of the operator who is ten (10) through fifteen (15) years old. Further, every snowmobile operated on Town streets shall be registered with the State Division of Parks and Recreation and shall comply with state law. (Ord. 1, 1989 §2; Ord. 11, 2002 §1)

**Sec. 8-3-30. Application of laws.**

This Article shall create an exception to existing ordinances to the extent necessary to permit snowmobiles and their operators to use Town streets. Except as State law or municipal law might otherwise provide regarding snowmobiles, all snowmobiles operated on Town streets pursuant to this Article shall obey all laws and ordinances applicable to the operation and parking of motor vehicles. (Ord. 1, 1989 §3)

**Sec. 8-3-40. Owner responsibility.**

It is unlawful for the owner of any snowmobile to allow it to be operated upon the Town streets by an operator who is not authorized to operate a snowmobile as stated in Section 8-3-20. (Ord. 1, 1989 §4; Ord. 11, 2002 §1)

**Sec. 8-3-50. Right-of-way.**

Snowmobiles must yield the right-of-way to all other street traffic and pedestrians, but otherwise shall be operated in the same manner as any other vehicle. (Ord. 1, 1989 §5)

**Sec. 8-3-60. Speed limit established.**

The maximum speed limit for snowmobiles on Town streets is twenty (20) miles per hour. (Ord. 1, 1989 §6)

**Sec. 8-3-70. Equipment requirements.**

Headlights and taillights shall be on at all times on the snowmobile while being operated on the Town streets. (Ord. 1, 1989 §7)

**Sec. 8-3-80. Towing restrictions.**

No person shall operate a snowmobile on Town streets that is towing any person, except that a disabled snowmobile may be towed in accordance with safe and acceptable practices. Supplies and equipment may be towed, provided that a snowmobile has attached thereto one (1) sled or toboggan which, along with the means of rigid attachment, is designed and intended for such purpose. (Ord. 1, 1989 §8)

**Sec. 8-3-90. Noise restrictions.**

No person shall operate a snowmobile within the Town in a manner that creates excessive noise, has a tuned exhaust or racing engine or is otherwise equipped so that it makes noise at a greater level than it would with a stock engine and/or exhaust system. (Ord. 1, 1989 §9)

**Sec. 8-3-100. Penalty.**

Violations of this Article shall be punishable as set forth in Chapter 1, Article IV. (Ord. 1, 1989 §10; Ord. No. 2014-5, § 3, 5-5-2014)