

**ORDINANCE NO. 23
SERIES OF 2016**

**AN ORDINANCE OF THE TOWN OF CARBONDALE, COLORADO
AMENDING THE TOWN'S VEHICLE IDLING RESTRICTIONS**

WHEREAS, pursuant to Section 3.6(c) of the Home Rule Charter of the Town of Carbondale ("Town"), the Board of Trustees is authorized to amend the provisions of the Municipal Code; and

WHEREAS, Section 8-3-10 of the Municipal Code (Loitering) presently includes a sub-section –(b) that prohibits idling motor vehicles for more than ten minutes; and

WHEREAS, the Board of Trustees finds that it would be in the interest of public safety and welfare to reduce the maximum idling time from ten minutes to two minutes; and

WHEREAS, the Board of Trustees also finds and determines that certain fines and fees associated with motor vehicle idling violations should be reduced and updated in accordance with this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF CARBONDALE, COLORADO, THAT:

1. Section 8-3-10 of the Municipal Code is hereby amended as follows (additions are **bold underlined**, deletions are in **~~bold strike through~~**):

Sec. 8-3-10. - Vehicle idling reduction.

(a) Idling of vehicles wastes fuel, creates pollution, causes engine wear and produces harmful effects to the environment.

(b) No person shall cause or permit a vehicle anywhere within the Town to idle, except that vehicles may be idled for up to **two** ~~ten~~ minutes after a cold start.

(c) Vehicle engines shall be turned off when loading and unloading passengers or merchandise, except if:

(1) A vehicle is in the moving traffic lane waiting to move with the normal flow of traffic.

(2) An engine is required to operate auxiliary equipment that is essential to load or unload merchandise or products carried in the vehicle; construction on public or private property; essential public and emergency services, police, fire or ambulance; vehicles repairing a disabled vehicle or preparing a vehicle for servicing; armored vehicles where a person remains inside the vehicle while guarding the contents of the vehicle or while the vehicle is being loaded or

unloaded; vehicles that remain motionless because of an emergency, traffic or weather condition or mechanical difficulties over which the driver has no control; vehicles engaged in a parade or race or other such event authorized by the Town; or public transit vehicles while engaged in operational activities, including training activities, except where idling is substantially for the convenience of the operator of the vehicle.

(3) Operation of an engine required to operate auxiliary equipment.

(d) The penalty for violating this Section shall be **\$25.00 plus a \$2.50 surcharge (total of \$27.50) for each violation. as follows:**

~~(1) First offense: \$100.00.~~

~~(2) Second offense within a 12-month period following the first offense: \$250.00.~~

~~(3) Third offense within the same 12-month period: \$500.00.~~

~~(4) Fourth offense within the same 12-month period: as set forth in [Section 1-4-20](#) of this Code.~~

2. If any other ordinance or parts of ordinances are in conflict with the standards set forth in this Ordinance, they are hereby repealed to the extent of such conflict only.
3. This Ordinance shall be effective upon posting and publication in accordance with the Carbondale Home Rule Charter.

INTRODUCED, READ AND PASSED this ____ day of _____, 2016.

THE TOWN OF CARBONDALE

Dan Richardson, Mayor

ATTEST:

Cathy Derby, Town Clerk

Posted: _____
Published: _____
Effective: _____