



BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF MONTROSE, STATE OF COLORADO

ORDINANCE CONCERNING PARKING PRIVILEGES
FOR PERSONS WITH DISABILITIES

ORDINANCE NO. 2 -97

RECITALS

WHEREAS, pursuant to C.R.S. 30-15-401, et. seq., as amended, the Board of County Commissioners of Montrose County has the power to adopt ordinances for control of those matters of purely local concern; and

WHEREAS, C.R.S. 30-15-401(1)(h), specifically grants to the Board of County Commissioners the power to "control and regulate the movement and parking of motor vehicles..." in the unincorporated areas of Montrose County, Colorado; and

WHEREAS, such statutory scheme empowers the Board of County Commissioners of Montrose County to provide parking privileges for persons with disabilities; and

WHEREAS, parking privileges for persons with disabilities within the unincorporated areas of Montrose County, Colorado serves the public health, welfare and safety of the residents of Montrose County, Colorado;

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONTROSE COUNTY, COLORADO, that the following rules and regulations shall be enforced as of the date of the adoption of this ordinance and shall henceforth govern the parking privileges for persons with disabilities in the unincorporated areas of Montrose County, Colorado.

1. As used in this ordinance, "persons with disabilities" has the meaning provided for such term in C.R.S. 42-3-121(1).
2. a. A person with a disability may park in a parking space identified as being reserved for use by persons with disabilities whether on public property or private property available for public use. A placard or license plate issued to a person with a disability shall be displayed on the vehicle while parked in such space.



- b. The owner of private property available for public use may request the installation of official signs identifying parking spaces reserved for use by persons with disabilities. Such a request shall be a waiver of any objection the owner may assert concerning the enforcement of this ordinance by Montrose County Sheriff's Department deputies and such deputies are hereby authorized and empowered to so enforce this ordinance.
3. Each parking space reserved for use by persons with disabilities whether on public property or private property shall be marked with an official upright sign identifying such parking space as reserved for use by persons with disabilities.
4. Persons with disabilities from states other than Colorado shall be allowed to use parking spaces for persons with disabilities within the unincorporated areas of Montrose County so long as such persons display a valid placard or license plate issued by their home state.
5. It is unlawful for any person other than a person with a disability to park in a parking space on public or private property which is clearly identified by an official sign as being reserved for use by persons with disabilities unless such person is parking the vehicle for the benefit of a person with a disability.
6. Any person who is not a person with a disability and who violates paragraph 5 of this ordinance commits a traffic offense and shall be fined as follows: first offense, \$75.00; second offense, \$150.00; third and subsequent offenses, \$300.00.
7. The penalty assessment procedure provided in C.R.S. 16-2-201, as amended, may be followed by Montrose County Sheriff's Department deputies for any violation of this ordinance. Enforcement may also be achieved by the issuance of a Montrose County Parking Citation.
8. Any Montrose County Sheriff's Deputy is authorized to verify the identification of any person using a placard or license plate for persons with disabilities in order to determine whether such use is authorized.

9. The Montrose County Sheriff's Office may, under authority of this ordinance, tow and impound at the owner's expense, any vehicle that is unoccupied and parked in any space reserved for use by persons with disabilities if the vehicle does not display a handicapped placard or license plate.

ADOPTED the 3rd day of November, 1997,
at Montrose, Colorado.

BOARD OF COUNTY COMMISSIONERS OF
THE COUNTY OF MONTROSE, COLORADO

David L. Gann
David L. Gann, Chairman

Leo Large
Leo Large, Vice-Chairman

ATTEST:

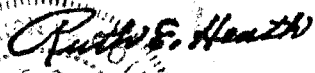
Cindy K. Bowen
Cindy K. Bowen, Commissioner

Ruth E. Heath
County Clerk and Recorder

Connie I. Hunt
Connie I. Hunt, Deputy Clerk

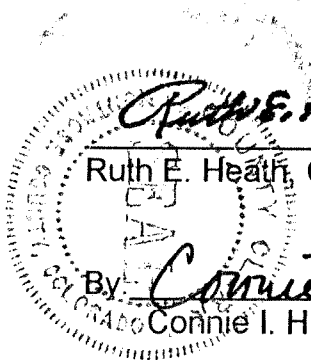
Clerk's Certification

I, Ruth E. Heath, Clerk and Recorder of Montrose County, Colorado, do hereby attest and certify that the ordinance set forth above was introduced, read and ordered published at a regular meeting (first reading) of the Board of County Commissioners of Montrose, Colorado, on the 6th day of October, 1997. The Ordinance was then published in full, in the Montrose Daily Press on the 10th day of October, 1997, prior to the second reading which was held on the 3rd day of November, 1997; and at which time the ordinance was adopted. Upon adoption, the ordinance was again published in full, in the Montrose Daily Press, on the 10th day of November, 1997.



Ruth E. Heath, County Clerk and Recorder


By: _____
Connie I. Hunt, Deputy Clerk of the Board



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ATTEST:

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By: *Connie J. Hunt*

Connie J. Hunt, Deputy Clerk of the Board

