

**TOWN OF EMPIRE,
COLORADO**

ORDINANCE 277

**AN ORDINANCE OF THE TOWN OF EMPIRE, COLORADO AMENDING
ORDINANCE 255 CONCERNING JUNK AND ABANDONED VEHICLES AND
PARKING REGULATIONS WITHIN THE TOWN**

WHEREAS, Town of Empire, Colorado (the “Town”) is a statutory town duly organized pursuant to C.R.S. §§ 31-4-301, *et seq.*;

WHEREAS, by Ordinance 255, the Town of Empire adopted various regulations concerning the keeping of junk vehicles, abandonment of vehicles upon public rights-of-way within the Town, and providing general parking regulations for motor vehicles within the Town; and

WHEREAS, the Board of Trustees for the Town (the “Board”) desires to amend Ordinance 255 to change the amount of time that various kinds of motor vehicles may be parked upon public rights of way within the Town as more specifically set forth herein.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF EMPIRE, COLORADO, AS FOLLOWS:

Section 1. *Amendments.* Town of Empire Ordinance 255 is hereby amended as follows:

**ARTICLE I
GENERAL PROVISIONS**

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Section 5. Definitions.

1. “Abandoned Vehicle” means:

1.1 Any vehicle left unattended on private property for a period of ~~seventy-two (72) hours~~ forty-eight (48) hours or longer without the consent of the owner or lessee of such property

or ~~his or her~~ their legally authorized agent;

- 1.2 Any vehicle left unattended on public property, including any portion of a street, highway or right-of-way open to the general use of the public within the Town limits, for a period of ~~seventy-two (72)~~ forty-eight (48) hours or longer unless the owner or driver has conspicuously affixed thereto a dated notice indicating ~~his or her~~ their intention to return or has otherwise notified the Empire Police Department of ~~his or her~~ their intention to remove the same within ~~seventy-two (72)~~ forty-eight (48) hours;

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ARTICLE III OFFENSES

Section 1. JUNK VEHICLES PROHIBITED

1. It shall be unlawful for any person to store or keep any junk vehicle or parts thereof on public property. The Town is authorized to tow any junk vehicle or parts thereof on public property to a storage yard designated by the Town.

- 1.1 Prior to towing, a warning notice shall be securely affixed to a conspicuous location on the vehicle, or parts, indicating that the vehicle, or parts, is believed to be a junk vehicle in violation of this section, the reason for such belief, that if the vehicle, or parts, is not moved within ~~seventy-two (72)~~ forty-eight (48) hours from the date of the notice, a citation will be issued, the vehicle, or parts, is subject to towing, that towing, and storage charges must be paid prior to recovery of the vehicle, or parts. Directions to contact the Empire Chief of Police regarding the vehicle, or parts, will be on the notice. Each day's violation shall constitute a separate offense.

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Section 2. ABANDONING VEHICLES PROHIBITED

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2. Any police officer or authorized code enforcement officer who finds a vehicle which ~~he or she has~~ they have reasonable grounds to believe has been abandoned shall require such vehicle to be removed by the owner, operator or possessor thereof, or may cause the same to be removed and placed in storage in any impound lot designated or maintained by the Empire Police Department.

- 2.1 Prior to towing, a warning notice shall be securely affixed to a conspicuous location on the vehicle indicating that the vehicle is believed to be an abandoned vehicle in violation of this section, the reason for such belief, that if the vehicle is not moved within ~~seventy-two (72)~~ forty-eight (48) hours from the date of the notice, a citation will be issued, the vehicle is subject to towing, that towing, and storage charges must be paid prior to recovery of the vehicle. Directions to contact the Empire Chief of Police regarding the vehicle will be on the notice. Each day's violation shall constitute a separate offense.

3. Whenever any police officer finds a vehicle, attended or unattended, standing upon any portion of a street, alley or highway, or right-of-way generally open to the use of the public in such a manner as to constitute an obstruction to the safe passage of traffic or proper highway maintenance, such officer is authorized to cause the vehicle to be moved immediately to eliminate any such obstruction; and neither the officer nor anyone acting under his or her direction shall be liable for any damage to such vehicle occasioned by such removal.

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Section 4. PARKING

1. Parking on public streets in the residential zoning districts (R-1, R-2, R-3) is limited to ~~seventy-two (72)~~ forty-eight (48) consecutive

hours in the same spot, unless otherwise posted, except under the following conditions;

- 1.1 Personal vehicles may be parked on public streets directly adjacent to dwelling occupied by the owner of the vehicle. This exemption does not apply to R.V's, boats or trailers, and
- 1.2 Guests of residents may be parked on public streets directly adjacent to dwelling occupied by the residents with parking permit issued by the Empire Police Department. Permits will not be issued for R.V's, boats or trailers.

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4. Parking on public streets in the residential-commercial zoning district (R-C) is limited to 2-hour parking, with no parking from 10 pm to 5 am, unless otherwise posted;

5. For a vehicle to be considered moved, it must be moved at least one hundred (100) feet from previous position.

6. Parking in public parking lots withing the Town limits have the following restrictions, unless otherwise posted:

- 6.1 Minton Park: Overnight parking and camping by paid permit only, and
- 6.2 Theobald Park: Overnight parking by paid permit only, no camping, and
- 6.3 Welcome Park: Overnight parking by paid permit only, no camping.

4.7. All vehicles cited for parking violations must be moved off all public streets within the Town limits.

5.8. Parking violations may be cited into the Empire Municipal Court.

9. Parking violation fees and parking permit fees may be set by Resolution.

Section 2. *Application.* This ordinance shall apply to every street, alley, sidewalk area,

driveway, park, and to every other public way or public place 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.

Section 3. *Validity.* If any part or parts of this ordinance are for any reason held to be invalid such decision shall not affect the validity of the remaining portions of this ordinance. The Board hereby declares that it would have passed this ordinance and each part or parts thereof, irrespective of the fact that any one part or parts be declared invalid.

Section 4. *Repeal.* Existing or parts of ordinances covering the same matters as embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this ordinance.

INTRODUCED AND PASSED ON FIRST READING THIS 15th DAY OF APRIL, 2025.

**INTRODUCED, AND FOLLOWING A PROPERLY-NOTICED PUBLIC HEARING
PASSED, ADOPTED, AND ORDERED PUBLISHED ON SECOND READING THIS
____ DAY OF ____.**

TOWN OF EMPIRE, COLORADO

Mayor Wendy Koch

ATTESTED:

Deputy Town Clerk Lisa Kunze