

ORDINANCE NO. 2569

INTRODUCED BY: CHACON, DOUGLAS, DOUGLAS, DUKES, FORD, KIM, MADERA,  
NOBLE, TETER

AN ORDINANCE AMENDING SECTIONS 2104 AND 2105 OF ARTICLE II OF CHAPTER 11 OF THE COMMERCE CITY REVISED MUNICIPAL CODE TO ELIMINATE A PROVISION MAKING IT UNLAWFUL FOR PERSONS TO REMAIN IN THE MEDIAN UNDER CERTAIN CIRCUMSTANCES AND TO ADD THE DEFINITION OF UTILITY TRAILER AND MAKE RELATED CLARIFYING CHANGES

WHEREAS, on September 11, 2023, the City Council for the City of Commerce City (“City”) adopted the Revised 2020 edition (dated July 7, 2021) of the Model Traffic Code for Colorado with certain exceptions, additions, and modifications;

WHEREAS, the Model Traffic Code does not regulate the parking of large vehicles, recreational vehicles, and utility trailers;

WHEREAS, the City wishes to retain its regulations on parking of large vehicles, recreational vehicles, and utility trailers, but clarify the title of a subsection in Section 2105 of Article II of Chapter 11 Commerce City Revised Municipal Code (“Code”), as well as add the definition of “utility trailer”; and

WHEREAS, the City wishes to update 2104 of Article II of Chapter 11 of the Code to delete a provision making it unlawful for persons to remain in the medians under certain circumstances.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO, AS FOLLOWS:

**SECTION 1. Findings.** The recitals to this ordinance are incorporated as findings of the City Council. This ordinance is found to be supported and authorized by law and in the best interests of and necessary for the protection of the health, safety, and welfare of the public.

**SECTION 2. Enactment.** Article II of Chapter 11 of the Commerce City Revised Municipal Code is amended in the form specified in **Exhibit A**, with the changes reflected in **Exhibit B**.

**SECTION 3. Repealer.** All ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof, are hereby repealed to the extent of such inconsistency.

**SECTION 4. Effective Date.** This ordinance shall be effective immediately upon passage.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED  
THIS 18TH DAY OF MARCH 2024.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED  
THIS 15TH DAY OF APRIL 2024.

CITY OF COMMERCE CITY, COLORADO

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Steven J. Douglas, Mayor

ATTEST

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Dylan A. Gibson, City Clerk

## Exhibit A to Ordinance 2569

(Elipses (. . .) indicates no change)

Sections 11-2104 and 11-2105 of Article II of Chapter 11 of the Commerce City Revised Municipal Code are amended to read as follows:

### ARTICLE II. MISCELLANEOUS PROVISIONS. (. . .)

**Sec. 11-2104.** Reserved

### **Sec. 11-2105. - Parking of large vehicles, recreational vehicles, and utility trailers.**

- (a) Definitions. Terms used to describe vehicles and trailers in this section shall have the meanings provided in the Model Traffic Code as adopted and amended by this Code, except as follows.

(1) Large vehicle means a trailer, a truck tractor or semitrailer (laden or unladen and regardless of size), a vehicle having a manufacturer's gross vehicle weight rating of eight thousand one (8,001) pounds or more (except for a pick-up truck or sports utility vehicle with a manufacturer's gross vehicle weight rating of fourteen thousand (14,000) pounds or less), a food truck or trailer, a tow truck or vehicle equipped to provide towing services, a bus, a farm tractor, construction equipment, or any other vehicle exceeding twenty-five (25) feet in length (including any attached gear, bumpers, racks, or similar items).

(2) Recreational vehicle means a camper trailer, camper coach, motor home, recreational vehicle, or trailer coach as each term is defined in the Model Traffic Code as adopted and amended by this Code; any recreational vehicle or recreational park trailer as defined in C.R.S. § 24-32-902; and watercraft (on or off trailers).

(3) Utility trailer means any wheeled vehicle weighing two thousand pounds or less, without motive power, which is designed to be drawn by a motor vehicle and which is generally and commonly used to carry and transport personal effects, articles of household furniture, loads of trash and rubbish, or not to exceed two horses over the public highways.

- (b) Large Vehicles, Recreational vehicles, and Utility trailers. It shall be unlawful to park a large vehicle, recreational vehicle, or utility trailer on any public street within a residentially zoned area or on any part of a public street immediately adjacent to a lot upon which there is a residence in any zoned district.

(. . .)

## Exhibit B to Ordinance 2569

(Blue underlines indicates additions; red strikethroughs indicated deletions)

Sections 11-2104 and 11-2105 of Article II of Chapter 11 of the Commerce City Revised Municipal Code are amended to read as follows:

### ARTICLE II. MISCELLANEOUS PROVISIONS.

#### Sec. 11-2104. Reserved ~~Persons not to remain on medians.~~

- (a) ~~Definitions.~~ For purposes of this section, the following words shall have the following meanings:-

~~Median means any area of a street, roadway, or public driveway defined by painted, raised, or depressed channelization barriers or markers, usually in the middle of the roadway, at driveways, or at intersections, which control turning movements or separate traffic lanes.~~

- (b) ~~Prohibition.~~ It shall be unlawful for a person to remain upon a median, or any portion of a crosswalk, for longer than is reasonably necessary to cross the street or roadway.

- (c) ~~Exemptions.~~ This section does not apply to

- ~~(1) Persons authorized by the city to maintain or work on the median;~~
- ~~(2) Persons employed by a public utility to maintain or work on the median while performing such maintenance or work;~~
- ~~(3) Areas within medians designated as transit stops; and~~
- ~~(4) Medians abutting a street closed to vehicular traffic for the purposes of permitted activity on the street or roadway.~~

#### Sec. 11-2105. Parking of large vehicles, recreational vehicles and utility trailers.

- (a) *Definitions.* Terms used to describe vehicles and trailers in this section shall have the meanings provided in the Model Traffic Code as adopted and amended by this Code, except as follows.

- (1) *Large vehicle* means a trailer, a truck tractor or semitrailer (laden or unladen and regardless of size), a vehicle having a manufacturer's gross vehicle weight rating of eight thousand one (8,001) pounds or more (except for a pick-up truck or sports utility vehicle with a manufacturer's gross vehicle weight rating of fourteen thousand (14,000) pounds or less), a food truck or trailer, a tow truck or vehicle equipped to provide towing services, a bus, a farm tractor, construction equipment, or any other vehicle exceeding twenty-five (25) feet in length (including any attached gear, bumpers, racks, or similar items).
- (2) *Recreational vehicle* means a camper trailer, camper coach, motor home, recreational vehicle, or trailer coach as each term is defined in the Model Traffic Code as adopted and amended by this Code; any recreational vehicle or recreational park trailer as defined in C.R.S. § 24-32-902; and watercraft (on or off trailers).

(3) Utility trailer means any wheeled vehicle weighing two thousand pounds or less, without motive power, which is designed to be drawn by a motor vehicle and which is generally

and commonly used to carry and transport personal effects, articles of household furniture, loads of trash and rubbish, or not to exceed two horses over the public highways.

- (b) Large Vehicles. *Recreational vehicles and utility trailers.* It shall be unlawful to park a large vehicle, recreational vehicle, or utility trailer on any public street within a residentially zoned area or on any part of a public street immediately adjacent to a lot upon which there is a residence in any zoned district.