

**SNOWMASS VILLAGE  
MUNICIPAL CODE**

1994

A Codification of the General Ordinances  
of the Town of Snowmass Village, Colorado,  
A Home Rule Municipality

Published by

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## PREFACE

The Town of Snowmass Village, a home rule town, has published its Municipal Code in a format which features the following:

The *Table of Contents* is the table containing each chapter and article title, with reference to page location. Preceding each chapter is a chapter table of contents, also identifying each article by the subject name provided.

The *two-place section numbering system* places the chapter number first, followed by a hyphen and section number. This two-place system is simplified by the elimination of article numbering. Each section may be cited by the chapter and section numbers which, together with reserved section numbers, are in sequence within each chapter.

The *open chapter and page numbering system* creates reserved chapter and page numbers for expansion or revision of the code without undue complication when changes are made to the code by supplementation.

The *Disposition of Ordinances Table* identifies the source for the contents of the code. This table provides ordinance numbers in chronological order and location by section number for the present code contents. Thus, if there is interest in determining whether an ordinance, or a portion thereof, is contained within the code, the Disposition of Ordinances Table will provide that information. The *Table of Up-to-Date Pages* lists all of the current pages through the most recent supplementation.

The *Index* provides references by common and legal terminology to the appropriate code sections. Cross references are provided with the Index when appropriate.

*Supplements* to the code provide regular updating of the code to maintain it as a current compilation of all the legislation which has general and continuing effect. Without regular supplementation, the code would soon lose its usefulness as a complete source of the general law of the municipality. Supplementation is accomplished by the periodic publication of additions and amendments to the code.

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**TOWN OF SNOWMASS VILLAGE**

**ORDINANCE NO. 4**

**SERIES OF 1994**

**AN ORDINANCE ADOPTING AND ENACTING A NEW MUNICIPAL CODE FOR THE TOWN OF SNOWMASS VILLAGE; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE, AND DECLARING AN EMERGENCY.**

WHEREAS, the Town Council is authorized to adopt standardized codes by reference pursuant to Section 4.11 of the Charter; and

WHEREAS, the Town Manager and the Town Attorney have reviewed and revised ordinances of the Town, to present the laws of the Town in a cohesive manner to foster ease of reference; and

WHEREAS, the Town Council has reviewed the proposed codification, including amendments, additions and revisions to existing ordinances; and

WHEREAS, the Town Council has reviewed the ordinances of the Town within the meaning of Section 4.14 of the Charter; and

WHEREAS, the Town Council has determined that a codification of the ordinances of the Town is necessary for the preservation and furtherance of the public health, safety and welfare; and

WHEREAS, the Town Council finds that the immediate effect of the provisions of this codification is necessary to preserve the public health, safety and welfare, to continue the orderly operation of the Town government, to prevent inconsistent application and administration of the Code, which constitutes an emergency within the meaning of Section 4.10 of the Charter.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Snowmass Village, Colorado, as follows:

*Section 1.* The code entitled "Snowmass Village Municipal Code" published by Colorado Code Publishing Company, consisting of Chapters 1 through 18, is adopted as a primary code by reference.

*Section 2.* All ordinances of a general and permanent nature enacted on or before this Ordinance, which are inconsistent with the provisions of the Snowmass Village Municipal Code, to the extent of such inconsistency, are hereby repealed.

*Section 3.* The repeal established in Section 2 of this Ordinance shall not be construed to revive any ordinance or part thereof that had been previously repealed by any ordinance which is repealed by this Ordinance.

*Section 4.* The following codes were adopted by reference and incorporated in the Snowmass Municipal Code. One (1) copy is on file in the Town Clerk's office:

(1) The *Model Traffic Code for Colorado Municipalities*, 1977 edition, published by the State Department of Highways, as adopted and amended in Section 8-1 *et seq.*;

(2) The *Uniform Building Code*, 1991 edition, published by the International Conference of Building Officials, as adopted and amended in Section 18-41 *et seq.*;

(3) The *National Electrical Code*, 1993 edition, published by the National Fire Protection Association, as adopted and amended in Section 18-61 *et seq.*;

(4) The *Uniform Mechanical Code*, 1991 edition, published by the International Association for Plumbing and Mechanical Officials, as adopted in Section 18-81;

(5) The *Uniform Plumbing Code*, 1991 edition, published by the International Association of Plumbing and Mechanical Officials, as adopted and amended in Section 18-101 *et seq.*; and

(6) The *Uniform Fire Code*, 1991 edition, published by the International Conference of Building Officials and the Western Fire Chiefs Association, as adopted and amended in Section 18-121 *et seq.*;

*Section 5.* The penalties provided by the Municipal Code of the Town of Snowmass Village are hereby adopted as follows:

(1) **Sec. 1-72. General penalty for violation.**

(a) When in this Code or in any ordinance of the Town an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or wherever in such Code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, and no specific penalty is provided therefor, the violation of any such provision of this Code or any such ordinance shall be punished by a fine not exceeding one thousand dollars (\$1,000.00) or imprisonment for a period of not more than one (1) year, or both such fine and imprisonment at the discretion of the court. Each day any violation of this Code or of any ordinance continues shall constitute a separate offense, unless otherwise provided.

(b) Whenever in this Code or in any ordinance of the Town the doing or failure to do an act (except traffic offenses) is punishable by imprisonment, nothing therein shall be construed to authorize the Municipal Judge to impose any jail sentence on any person under eighteen (18) years old charged with such offense, and the imposition of jail sentences upon such juvenile offenders by the Municipal Court is hereby prohibited.

(2) **Sec. 2-152. Civil actions. (Article VI, Municipal Court)**

(11) Failure to comply with Court order. Any disobedience or interference with any order issued by the Municipal Court in an action to abate a violation of this Section may be punishable as a contempt of Court by imprisonment not to exceed one (1) year or by a fine not to exceed one thousand dollars (\$1,000.00). Each day's failure to comply with an order of the Court shall constitute a separate act of contempt for which an additional penalty may be imposed.

(3) **Sec. 4-67. Recovery of taxes, penalty and interest. (Article IV, Sales Tax)**

(b) If a person neglects or refuses to make a return and payment of the tax as required by this Article, the Town Treasurer shall make an estimate, based upon such information as may be available, of the amount of taxes due for the period for which the taxpayer is delinquent; and shall add thereto a penalty equal to ten percent (10%) thereof and interest on such delinquent taxes at the rate of one percent (1%) per month from the date when

due. Promptly thereafter, the Town Treasurer shall give to the delinquent taxpayer written notice of such estimated taxes, penalty and interest, which notice shall be served personally or deposited in the United States mail, postage prepaid, to the address of the taxpayer on file with the Town. Such estimates shall thereupon become a notice of deficiency. A hearing may be held and the Town Treasurer shall make a final determination. The taxpayer may appeal said final determination in the manner provided in Section 39-21-105, C.R.S.

(h) The Town Treasurer is hereby authorized to waive, for good cause shown, any penalty assessed as in this Article provided, and interest imposed in excess of six percent (6%) per annum shall be deemed a penalty.

(4) **Sec. 4-100. Due dates, delinquencies, penalties, interest, evasion. (Article V, Real Estate Transfer Tax)**

(a) The land transfer tax imposed under this Article is due and payable at the time of the transfer of real property and is delinquent if it remains unpaid for thirty (30) days thereafter. In the event that the tax is not paid prior to becoming delinquent, a delinquency penalty of ten percent (10%) of the amount of tax due shall accrue. In the event a portion of the tax is paid prior to becoming delinquent, the penalty shall only accrue as to the portion which is delinquent. Interest shall accrue at the rate of one and one-half percent (1½%) per month, or fraction thereof, or at such other interest rate as the Town Council may from time to time establish by ordinance, on the amount of the tax, exclusive of penalties, from the date the tax becomes delinquent to the date of payment. Interest and penalty accrued shall become a part of the tax.

(5) **Sec. 7-134. Penalty assessment. (Article V, Animals)**

The following penalty assessments are declared to be mandatory and minimum, and shall not be suspended or waived:

Failure to have certificate of vaccination	\$15.00
Failure to have current license	10.00
Failure to display license tag on animal	10.00
Dog at large	
First offense within 1 year	
altered	10.00
unaltered	20.00
Second offense within 1 year	
altered	30.00
unaltered	40.00
Third offense within 1 year	
altered	60.00
unaltered	80.00
Fourth offense within 1 year	summons
Animal disturbing peace and quiet,	
first offense within 1 year	20.00
second offense within 1 year	30.00
third offense within 1 year	summons

(6) **Sec. 8-31. Penalty. (Article II, Parking)**

(a) Any person convicted of falsifying information on permit applications, of transferring a permit to a vehicle other than the vehicle appearing on the permit application, or of improperly distributing guest permits, shall be fined not less than three hundred dollars (\$300.00) nor greater than one thousand dollars (\$1,000.00) per violation, which shall be a strict liability offense, for which the fine shall not be suspended.

(b) Any person convicted of violating any provision of this Article, other than those listed in Subsection (a) above, shall be fined an amount not less than thirty-five dollars (\$35.00), nor greater than one thousand dollars (\$1,000.00) per violation, which fine shall be a strict liability offense, for which the fine shall not be suspended; provided however, that a penalty assessment in the amount of fifteen dollars (\$15.00) may be paid within ten (10) days from the date of the violation.

(7) **Sec. 8-53. Schedule. (Article III, Penalty Fines and Points)**

The following is a Schedule of Penalty Assessments and Fines applicable to violations of the Model Traffic Code.

<u>MTC Violation</u>	<u>Description</u>	<u>Fine</u>
Sec. 1-1	Vehicle approaching or entering intersection not controlled by signs or signals (failure to yield right-of-way)	\$30.00
Sec. 1-2	Vehicle turning left (failure to yield right-of-way)	30.00
Sec. 2-2	Entering stop or yield intersection (failure to stop or yield at stop)	30.00
Sec. 3-5	Emerging from or entering alley, driveway or building (failure to stop)	35.00
Sec. 3-6	Stopping for school buses (failure to stop)	60.00
Sec. 3-7	Stop when traffic obstructed (obstructing vehicle or pedestrian)	35.00
Sec. 4-1	Violation of posted speed limits	
	1-4 mph over	25.00
	5-9 mph over	35.00
	10-19 mph over	60.00
	20-25 mph over	summons
	25 mph or more over	summons
Sec. 4-4	Special hazard (failure to reduce speed too fast for conditions)	50.00
Sec. 4-6	Speed contest	summons
Sec. 5-1	Reckless driving	summons
Sec. 5-2	Careless driving (summons if injury accident)	50.00
Sec. 6-1	Starting parked vehicle (unsafe move from parked position)	25.00
Sec. 6-2	When signal required (failure to signal within required distance)	25.00
Sec. 6-3	Position and method of turning at intersection (turn from wrong lane)	25.00
Sec. 6-5	Method of giving hand and arm signal	20.00
Sec. 6-6	Limitations on turning around (illegal U-turn)	25.00
Sec. 6-7	Obedience to turn prohibited signs	25.00
Sec. 7-1	Drive on right side (driving on wrong side of roadway)	25.00
Sec. 7-2	Passing oncoming vehicles (failure to keep to right, improper pass)	25.00
Sec. 7-3	Overtaking on left, overtaking on right, limitations	25.00
4, 5		
Sec. 7-6	Following too closely	25.00
Sec. 8-1	Wrong way on one-way street	25.00

<u>MTC</u> <u>Violation</u>	<u>Description</u>	<u>Fine</u>
Sec. 8-2	Driving on divided streets (straddling lanes)	25.00
Sec. 9-1	Driving on divided streets (crossing double yellow lines)	25.00
Sec. 10-1	Parking at curb or edge of roadway (improper parking)	20.00*
Sec. 10-2	Obedience to angle parking signs	20.00*
Sec. 10-3	Lamps on parking vehicles	20.00*
Sec. 10-4	Unattended motor vehicle	20.00*
Sec. 10-5	Parking not to obstruct traffic or maintenance	20.00*
Sec. 10-6	Parking in alleys	20.00*
Sec. 10-7	Moving unattended vehicle	20.00*
Sec. 10-8	Clearance between vehicle	20.00*
Sec. 12-2	Prohibited parking	20.00*
Sec. 13-1	Standing in passenger curb loading zone	20.00*
Sec. 13-2	Standing in freight curb loading zone	20.00*
Sec. 13-4	Bus stop regulations	20.00*
Sec. 13-5	Taxicab stands regulated	20.00*
Sec. 13-6	Standing in restricted parking zone	20.00*
Sec. 15-2	Obedience to official devices (disregard official traffic control devices)	25.00
Sec. 15-5	Failure to obey traffic light	25.00
Sec. 15-6	Obedience to flashing signal	25.00
Sec. 15-8	Pedestrian control signals	25.00
Sec. 15-11	Barricades (driving through)	25.00
Sec. 15-12	Unauthorized signs or markings	25.00
Sec. 15-13	Interference with official control devices (deface sign)	summons
Sec. 16-1	Pedestrian obey traffic control device	25.00
Sec. 16-2	Pedestrian's right-of-way in crosswalk (failure to yield right-of-way to pedestrians)	25.00
Sec. 16-3	Crossing at right angles	10.00
Sec. 16-7	Walking along roadways, hitchhiking	15.00
Sec. 16-9	Driving on the sidewalk	25.00
Sec. 17-12	Riding on bicycles (excess riders)	15.00
Sec. 17-13	Riding bicycles on roadway and bike path	15.00
Sec. 17-14	Bicycle speeding	20.00
Sec. 17-15	Bicycle entering or emerging from alley or driveway	15.00
Sec. 17-16	Carrying articles on bicycles	15.00
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Sec. 18-1	Restricted use of streets (unlawful operation of motorized vehicle on sidewalk, trail or pedestrian right-of-way)	50.00
Sec. 18-2	Size restrictions	50.00
Sec. 18-3	Height, width and length of vehicles and loads	50.00
Sec. 18-4	Projecting loads on vehicles	25.00
Sec. 18-5	Spilling loads on road	50.00
Sec. 18-6	Trailers and towed vehicles	25.00

<u>MTC</u> <u>Violation</u>	<u>Description</u>	<u>Fine</u>
Sec. 18-2	Weight restrictions	
	greater than 1--2,500 lbs over	50.00
	greater than 2,500--2,000 lbs over	75.00
	greater than 5,000--7,500 lbs over	100.00
	greater than 7,500 over	summons
Sec. 18-7	Wheel and axle loads	
	greater than 1--2,500 lbs over	50.00
	greater than 2,500--2,000 lbs over	75.00
	greater than 5,000--7,500 lbs over	100.00
	greater than 7,500 over	summons
Sec. 18-8	Gross weight of vehicles	
	greater than 1--2,500 lbs over	50.00
	greater than 2,500--2,000 lbs over	75.00
	greater than 5,000--7,500 lbs over	100.00
	greater than 7,500 over	summons
Sec. 18-9	Weight limits on certain streets or parts thereof	
	greater than 1--2,500 lbs over	50.00
	greater than 2,500--2,000 lbs over	75.00
	greater than 5,000--7,500 lbs over	100.00
	greater than 7,500 over	summons
Sec. 18-10	Vehicles, weighted, excess removed	
	greater than 1--2,500 lbs over	50.00
	greater than 2,500--2,000 lbs over	75.00
	greater than 5,000--7,500 lbs over	100.00
	greater than 7,500 over	summons
Sec. 18-11	Permits for excess size and weight	summons
Sec. 18-12	Liability for damage to street or structure	summons
Sec. 19-1	Unsafe vehicles prohibited	35.00
Sec. 19-2	Lights, brakes and other required equipment (defective equipment)	25.00
Sec. 19-3	When lighted lamps are required	25.00
Sec. 19-4	Windows unobstructed, wipers	15.00
Sec. 19-5	Unauthorized insignia	25.00
Sec. 19-6	School bus markings required	summons
Sec. 19-9	Snow tires or chains required	25.00
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Sec. 20-11	When permits required for parade processions	25.00
Sec. 20-12	Funeral processions	25.00
Sec. 20-13	Motorcycle rules (protective eyewear)	25.00
Sec. 20-14	Impeding traffic (slow moving vehicle)	25.00
Sec. 20-15	Use of multiple-beam headlights (failure to dim headlights)	25.00
Sec. 20-17	Temporary regulations for emergencies or special conditions (temporary placement of traffic control devices)	25.00

<u>MTC</u> <u>Violation</u>	<u>Description</u>	<u>Fine</u>
Sec. 21-4 (b)	Traffic laws apply to persons riding animals or driving animal drawn vehicles	15.00
Sec. 21-5	Restricted use of snowmobiles, skis, toboggans, coasters and similar devices	15.00
Sec. 21-8	Operation of vehicle and actions of pedestrians on approaching of authorized emergency vehicles (failure to yield to emergency vehicles)	50.00
Sec. 21-9	Eluding or attempting to elude police officer	summons

\*35.00 if not paid within ten (10) days

Schedule of Appearance Bonds

Reckless driving	\$50.00
Careless driving with accident	50.00
Speeding 20 and over	50.00
All other traffic violations	25.00

(8) **Sec. 10-28. Littering of public property.**

(c) Any person convicted of a violation of this Section shall be fined not less than fifty dollars (\$50.00) nor greater than one thousand dollars (\$1,000) per violation, which shall be a strict liability offense for which the fine shall not be suspended.

(9) **Sec. 10-63. Penalties. (Article IV, Offenses Relating to Alcoholic Beverages)**

(a) Upon the conviction of a first violation of any of the provisions of this Article, the violator shall be fined a minimum of twenty-five dollars (\$25.00), which may not be suspended.

(b) Upon the conviction of a second or succeeding violation of any of the provisions of this Article, the violator shall be fined a minimum of twenty-five dollars (\$25.00), which may not be suspended, and shall be punished by imprisonment for a period of not more than one (1) year, at the discretion of the court, or both.

(10) **Sec. 18-146. False alarm service fees.**

(a) The alarm user permit holder is subject to the following service fees for all false alarms occurring within a calendar year:

Residential and Commercial Facilities:	
0 through 3 false alarms - no fee	
4 through 7 false alarms - \$50 per alarm	
Public Accommodation Complexes:	
0 through 5 false alarms - no fee	
6 through 9 false alarms - \$50 per alarm	

The eighth false alarm for a commercial or residential facility and the tenth false alarm for a public accommodation complex shall be deemed a failure to comply with the proper maintenance or operation of a trouble free alarm and a violation of this Article. The permittee shall be charged three hundred dollars (\$300.00) for this and each false alarm thereafter, and the permittee may be required to meet with the Chief of Police and the alarm contractor to determine the cause of the problem and discuss possible solutions.

*Section 6.* Additions or amendments to the Code, when passed in the form as to indicate the intention of the Town to make the same a part of the Code, shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

*Section 7.* Ordinances adopted after this ordinance that amend or refer to ordinances that have been codified in the Code, shall be construed as if they amend or refer to those provisions of the Code.

*Section 8.* The terms, conditions and provisions contained in Ordinance 11, Series of 1987, are hereby deleted and Ordinance 11, Series of 1987, is hereby repealed in its entirety.

*Section 9.* This Ordinance constitutes the review of ordinances within the meaning of Section 4.14 of the Charter. The next review of ordinances contemplated by Section 4.14 shall occur five years from the date of this Ordinance.

*Section 10.* The Town Council herewith finds, determines and declares that this Ordinance is necessary for the immediate preservation of the public health and safety in order to make this ordinance applicable to the Town at the earliest possible date so that administrative efficiency may be obtained therefrom and to assure that the purposes of this Ordinance are met. This Ordinance shall become effective immediately.

INTRODUCED, READ AND ADOPTED ON FIRST READING this 14th day of March, 1994, by a vote of 7 in favor and 0 against.

READ, APPROVED AND ADOPTED on this 18th day of April, 1994, by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ against.

TOWN OF SNOWMASS VILLAGE

(signature) \_\_\_\_\_  
James H. Hooker, Mayor

ATTEST:

(signature) \_\_\_\_\_  
Trudi Worline, Town Clerk

(SEAL)

APPROVED AS TO FORM:

(signature) \_\_\_\_\_  
Stephen R. Connor, Town Attorney

**TOWN OF SNOWMASS VILLAGE**

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