

ORDINANCE NO. 2022-019

AN ORDINANCE AMENDING THE CASTLE ROCK MUNICIPAL CODE BY THE ADDITION OF A NEW CHAPTER 10.12 REGARDING TRUCK ROUTES

WHEREAS, the Town of Castle Rock ("Town") Public Works Department has a Truck Routes Standard Operating Procedure ("Truck Routes SOP"); and

WHEREAS, the Truck Routes SOP sets forth the procedure for the adoption of truck routes through the Town; and

WHEREAS, the Castle Rock Municipal Code ("Code") does not currently address the process for the approval or enforcement of truck routes; and

WHEREAS, in order to protect the health, safety, and welfare of the community and decrease the negative impacts of truck traffic on residential areas, Town staff recommends that the Town Council adopt these proposed amendments to the Code.

NOW, THEREFORE, IT IS ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO:

Section 1. Legislative Findings. The recitals of this ordinance are adopted as findings of the Town Council in support of the enactment of this Ordinance.

Section 2. Amendment. The Castle Rock Municipal Code is hereby amended by the addition of a new Chapter 10.12, which Chapter shall read as follows:

Chapter 10.12 – Truck Routes

10.12.010 – Purpose.

The purpose of this Chapter is to protect public health, safety, and welfare and decrease the negative impacts from truck traffic on residential areas by reducing roadway wear and maintenance costs, noise, and pollution.

10.12.020 – Definitions.

For the purposes of Chapter 10.12, the following terms shall have the following meanings:

Authorized emergency vehicle means such vehicles of the Fire Department, police vehicles, ambulances, and other special-purpose vehicles as are publically owned and operated by or for a governmental agency to protect and preserve life and property in accordance with state laws regulating emergency vehicles; said term also means such privately owned vehicles as are designated by the State motor vehicle licensing agency, necessary to the preservation of life and property, to be equipped and to operate as emergency vehicles in the manner prescribed by state law.

Truck means a motor vehicle with a gross vehicle weight of ten thousand (10,000) or more pounds, which is designed to transport property. The term includes vehicles of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle, which may or may not be motorized. The term also includes road machinery, construction equipment, and any type of tractor that meets the weight limit in this Section 10.12.020.

10.12.030 – Truck routes.

No person shall operate a truck, as defined by Section 10.12.020, on any street in the Town unless such street is designated as a truck route. The Town Council is authorized to determine and designate truck routes by resolution, which designation shall become effective when appropriate signs are in place giving notice of the designation to the public.

10.12.040 – Exceptions.

This Chapter 10.12 shall not prohibit:

- A. The operation of any authorized emergency vehicles upon any street in the Town;
- B. Trucks making local deliveries and pickups. For the purposes of this Subsection, local deliveries and pickups are allowed only on those streets where the loads do not exceed the posted limits; and
- C. Trucks operated by local governments or political subdivisions; and
- D. The operation of a truck utilized for construction, repairs, or maintenance at the direction of, or subject to a permit issued by, the Town or on any property owned by the Town.

10.12.050 – Evidence of points of origin and destination.

Any person operating a truck on those streets not designated as a truck route shall have in their possession a log book, delivery slip or other evidence of points of origin and destination to justify the presence of the truck upon such street. Failure to produce evidence of a log book, delivery slip, or other evidence of points of origin and destination shall be deemed prima facie evidence of a violation of this Chapter.

10.12.060 – Violation; penalty.

A violation of this Chapter shall be considered a traffic infraction within the meaning of Section 10.04.040.A. Every person convicted of a violation of the provisions of this Chapter shall be subject to the following minimum fines:

- A. First offense: Five hundred dollars (\$500.00).

- B. Second offense within any twelve (12) consecutive months: Seven hundred and fifty dollars (\$750.00).
- C. Third or subsequent offense within any twelve (12) consecutive months: One thousand dollars (\$1,000.00).

Section 3. Severability. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgement shall not affect the remaining provisions of this ordinance.

Section 4. Safety Clause. The Town Council finds and declares that this ordinance is promulgated and adopted for the public health, safety and welfare and this ordinance bears a rational relation to the legislative object sought to be obtained.

APPROVED ON FIRST READING this 6th day of September, 2022, by a vote of 6 for and 1 against, after publication in compliance with Section 2.02.100.C of the Castle Rock Municipal Code; and

PASSED, APPROVED AND ADOPTED ON SECOND AND FINAL READING this 20th day of September, 2022, by the Town Council of Castle Rock by a vote of 6 for and 1 against.

ATTEST:

TOWN OF CASTLE ROCK



Lisa Anderson, Town Clerk




Jason Gray, Mayor

Approved as to form:

Approved as to content:



Michael J. Hyman, Town Attorney



Daniel Sailer, Director of Public Works

