

**ORDINANCE NO. 22
SERIES 2017**

AN ORDINANCE AMENDING TITLE 7, CHAPTER 3, ARTICLES C AND D OF THE VAIL TOWN CODE, REGARDING PENALTIES FOR CERTAIN PARKING VIOLATIONS

WHEREAS, the Town of Vail, in the County of Eagle and State of Colorado (the "Town"), is a home rule municipal corporation duly organized and existing under the laws of the State of Colorado and the Vail Town Charter;

WHEREAS, pursuant to C.R.S. § 42-4-111, the Town is empowered to regulate and restrict the stopping, standing, or parking of vehicles within its jurisdiction; and

WHEREAS, pursuant to Article XX, § 6(h) of the Colorado Constitution, the Town is empowered to collect, enforce, and impose fines and penalties for the violation of its local laws.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VAIL, COLORADO, THAT:

Section 1. Section 7-3C-2 of the Vail Town Code is hereby repealed in its entirety.

Section 2. Section 7-3D-1 of the Vail Town Code hereby is repealed in its entirety and reenacted to read as follows:

7-3D-1: PENALTIES:

A. Every person who is convicted of, who admits liability for, or against whom a judgment is entered for a parking violation other than a violation of Section 7-3C-1 (unlawfully parking in a parking space reserved for handicapped persons or persons with disabilities), shall be fined as follows:

First offense:	\$50.00
Second similar offense within one year:	\$75.00
Subsequent similar offenses within one year:	\$150.00

B. Every person who is convicted of, who admits liability for, or against whom a judgment is entered for a violation of Section 7-3C-1 (unlawfully parking in a parking space reserved for handicapped persons or persons with disabilities), shall be fined as follows:

First offense:	\$100.00
Second offense within one year:	\$150.00
Subsequent offenses within one year:	\$200.00

Section 3. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance; and the Town Council hereby declares it would have passed this ordinance, and each part, section, subsection, sentence, clause or phrase thereof, regardless of the fact that any one or more parts, sections, subsections, sentences, clauses or phrases be declared invalid.

Section 4. The Town Council hereby finds, determines and declares that this ordinance is necessary and proper for the health, safety and welfare of the Town and the inhabitants thereof.

Section 5. The amendment of any provision of the Vail Town Code, as provided in this ordinance, shall not affect any right which has accrued, any duty imposed, any violation that occurred prior to the effective date hereof, any prosecution commenced, nor any other action or proceeding as commenced under or by virtue of the provision amended. The amendment of any provision hereby shall not revive any provision or any ordinance previously repealed or superseded unless expressly stated herein.

Section 6. All bylaws, orders, resolutions and ordinances, or parts thereof, inconsistent herewith are repealed to the extent only of such inconsistency. This repealer shall not be construed to revise any bylaw, order, resolution or ordinance, or part thereof, theretofore repealed.

INTRODUCED, READ ON FIRST READING, APPROVED, AND ORDERED PUBLISHED ONCE IN FULL ON FIRST READING this 19th day of December, 2017 and a public hearing for second reading of this Ordinance is set for the 2nd day of January, 2018, in the Council Chambers of the Vail Municipal Building, Vail, Colorado.

Dave Chapin, Mayor

ATTEST:

Patty McKenny, Town Clerk

READ AND APPROVED ON SECOND READING AND ORDERED PUBLISHED
this ____ day of _____, 2017.

Dave Chapin, Mayor

ATTEST:

Patty McKenny, Town Clerk