

**CITY OF WHEAT RIDGE, COLORADO**  
**INTRODUCED BY COUNCIL MEMBER SANG**  
**Council Bill No. 04**  
**Ordinance No. 1477**  
Series of 2011

**TITLE: AN ORDINANCE AMENDING SECTION 13-6(D) OF THE WHEAT RIDGE CODE OF LAWS CONCERNING PENALTY ASSESSMENT FINES FOR EXCESS VEHICLE WEIGHT VIOLATIONS**

**WHEREAS**, the City of Wheat Ridge (the "City"), acting through its City Council (the "Council"), has authority to enact ordinances for the protection of public health, safety and welfare; and

**WHEREAS**, exercising this authority, the Council has previously enacted Chapter 13 of the Wheat Ridge Code of Laws (the "Code") concerning the regulation of motor vehicles and traffic upon roadways within the City; and

**WHEREAS**, Section 13-6(d) of said Chapter 13 sets forth a fine schedule that applies to penalty assessments issued for violating City laws concerning maximum wheel and axle loads and maximum gross vehicle weight; and

**WHEREAS**, the state of Colorado has established a similar fine schedule for violations of the same offenses under state law; and

**WHEREAS**, the state has updated its fine schedule to generally increase the amounts of penalty assessments and several other jurisdictions neighboring the City have updated their respective fine schedules to mirror the state's fine schedule; and

**WHEREAS**, the Council finds that it is desirable and in the City's best interest to impose penalties for vehicle weight violations that are uniform with those imposed by the state and neighboring communities for the same offenses.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEAT RIDGE, COLORADO:**

**Section 1.** Subsection 13-6(d) of the Wheat Ridge Code of Laws, concerning penalty assessments issued for violations of maximum vehicle weight restrictions, is hereby amended as follows:

(d). *Excess weight—Penalty assessment.* Any person who pleads guilty or is convicted of violating the weight limitations of either section 507 or section 508 of the Model Traffic Code, as amended, shall be subject to the penalties of subsection (b) of this section and for each axle and/or gross weight violation an additional penalty assessment fine according to the following schedule:

<u>Excess Weight in Pounds</u>	<u>Penalty Assessment Fine Amount</u>
<u>1 to 999</u>	<u>\$ 40.00</u>
<u>1,000 to 1,200</u>	<u>50.00</u>
<u>1,201 to 1,400</u>	<u>75.00</u>
<u>1,401 to 1,600</u>	<u>100.00</u>
<u>1,601 to 1,800</u>	<u>125.00</u>
<u>1,801 to 2,000</u>	<u>150.00</u>
<u>2,001 to 2,200</u>	<u>175.00</u>
<u>2,201 to 2,400</u>	<u>200.00</u>
<u>2,401 to 2,600</u>	<u>225.00</u>
<u>2,601 to 2,800</u>	<u>250.00</u>
<u>2,801 to 3,000</u>	<u>275.00</u>
<u>3,001 to 3,200</u>	<u>300.00</u>
<u>3,201 to 3,400</u>	<u>325.00</u>
<u>3,401 to 3,600</u>	<u>350.00</u>
<u>3,601 to 3,800</u>	<u>375.00</u>
<u>3,801 to 4,000</u>	<u>400.00</u>
<u>4,001 to 4,200</u>	<u>425.00</u>
<u>4,201 to 4,400</u>	<u>450.00</u>
<u>4,401 to 4,600</u>	<u>475.00</u>
<u>4,601 to 4,800</u>	<u>500.00</u>
<u>4,801 to 5,000</u>	<u>525.00</u>
<u>5,001 to 5,200</u>	<u>550.00</u>
<u>5,201 to 5,400</u>	<u>575.00</u>
<u>5,401 to 5,600</u>	<u>600.00</u>
<u>5,601 to 5,800</u>	<u>625.00</u>
<u>5,801 to 6,000</u>	<u>650.00</u>
<u>6,001 to 6,200</u>	<u>675.00</u>
<u>6,201 to 6,400</u>	<u>700.00</u>
<u>6,401 to 6,600</u>	<u>725.00</u>
<u>6,601 to 6,800</u>	<u>750.00</u>
<u>6,801 to 7,000</u>	<u>775.00</u>
<u>7,001 to 7,200</u>	<u>800.00</u>
<u>7,201 to 7,400</u>	<u>825.00</u>
<u>7,401 to 7,600</u>	<u>850.00</u>
<u>7,601 to 7,800</u>	<u>875.00</u>

<u>7,801 to 8,000</u>	<u>900.00</u>
<u>8,001 to 8,200</u>	<u>925.00</u>
<u>8,200 to 8,400</u>	<u>950.00</u>
<u>8,401 to 8,600</u>	<u>975.00</u>
<u>8,601 to 8,800</u>	<u>1,000.00</u>

Excess Weight in Pounds	Penalty Assessment Fine Amount
1 to 3,000	\$ 50.00
3,001 to 4,250	65.00
4,251 to 4,500	80.00
4,501 to 4,750	95.00
4,751 to 5,000	110.00
5,001 to 5,250	125.00
5,251 to 5,500	140.00
5,501 to 5,750	155.00
5,751 to 6,000	170.00
6,001 to 6,250	185.00
6,251 to 6,500	210.00
6,501 to 6,750	235.00
6,751 to 7,000	260.00
7,001 to 7,250	285.00
7,251 to 7,500	325.00
7,501 to 7,750	365.00
7,751 to 8,000	405.00
8,001 to 8,250	445.00
8,251 to 8,500	495.00
8,501 to 8,750	545.00
8,751 to 9,000	595.00
9,001 to 9,250	645.00

9,251 to 9,500	705.00
9,501 to 9,750	765.00
9,751 to 10,000	825.00
10,001 to 10,250	885.00
10,251 to 10,500	920.00
10,501 to 10,750	955.00
10,751 to 11,000	990.00
11,001 and over	999.00

**Section 2. Safety Clause.** The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Wheat Ridge, that it is promulgated for the health, safety, and welfare of the public and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

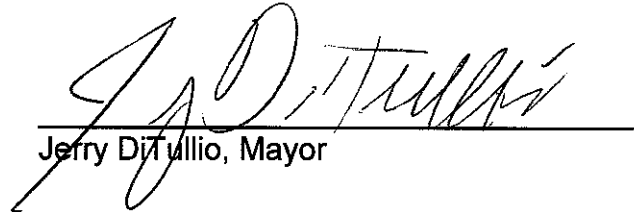
**Section 3. Severability; Conflicting Ordinances Repealed.** If any section, subsection or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. All other ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**Section 4. Effective Date.** This Ordinance shall take effect fifteen (15) days after final publication, as provided by Section 5.11 of the Charter.

**INTRODUCED, READ, AND ADOPTED** on first reading by a vote of 8 to 0 on this 14<sup>th</sup> day of February, 2011, ordered published in full in a newspaper of general circulation in the City of Wheat Ridge and Public Hearing and consideration on final passage set for February 28, 2011, at 7:00 o'clock p.m., in the Council Chambers, 7500 West 29th Avenue, Wheat Ridge, Colorado.

**READ, ADOPTED AND ORDERED PUBLISHED** on second and final reading by a vote of 7 to 0, this 28<sup>th</sup> day of February, 2011.

**SIGNED** by the Mayor on this 28th day of February, 2011.

  
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Jerry DiTullio, Mayor

ATTEST:

  
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Michael Snow, City Clerk

Approved As To Form

  
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Gerald E. Dahl, City Attorney

First Publication: February 17, 2011  
Second Publication: March 3, 2011  
Wheat Ridge Transcript  
Effective Date: March 18, 2011