

**TOWN OF NEW CASTLE, COLORADO
ORDINANCE NO. TC 2021-2**

AN ORDINANCE OF THE NEW CASTLE TOWN COUNCIL AMENDING SECTIONS OF
CHAPTER 12 OF ARTICLE 12 OF THE TOWN MUNICIPAL CODE REGARDING
PARKING OF CERTAIN VEHICLES IN TOWN RIGHTS-OF-WAY

WHEREAS, Chapter 12 of Title 12 of the New Castle Municipal Code (“Code”) regulates the storage and parking of trailers and trucks in public rights-of way; and

WHEREAS, the Town has experienced an increase in the number of campers, trailers, and similar equipment being parked on public rights-of-way; and

WHEREAS, Town staff has identified the need to clarify and better regulate the use of public rights-of-way for extended periods by campers, trailers, and other recreational vehicles; and

WHEREAS, the Council desires to amend the Code to better regulate the use of public rights-of-way for parking within the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NEW CASTLE, COLORADO:

1. Recitals. The foregoing recitals are incorporated herein as findings and determinations of the Town Council.

2. Amendment. The following sections of Chapter 12, Title 12, of the Town Code are hereby amended as follows, with added language in **bold** and underlined and removed language ~~stricken~~:

12.12.010 Definitions.

“Trailer” means any wheeled device used or designed to be towed behind a motor vehicle (excluding “travel campers” as defined below) for the purpose of hauling recreational equipment (including, but not limited to, boats, off-road vehicles, and other motorized or non-motorized recreational equipment), ~~boats, vehicles,~~ construction equipment, vehicles, retail goods, or other items.

“Travel camper” means living or sleeping quarters on a wheeled device designed solely for the purpose of being used as a mobile dwelling unit, such as, but not limited to, campers, motorhomes, camp trailers, or travel trailers. Vans, camper-vans, pickups with toppers, or any other vehicles less than twenty-five (25) feet which serve primarily as a commuter vehicle or means of producing income are excluded from this definition.

12.12.020 Parking prohibition.

It is unlawful to park or store any truck, trailer, **travel camper**, or item advertised for sale for more than two consecutive hours on any public street or right-of-way within the town limits, subject to the exceptions set forth below. This prohibition shall also apply to public municipal parking lots unless such parking lot is expressly made exempt from the prohibition.

12.12.030 Exceptions.

The following exceptions shall apply:

A. Deliveries **Delivery Vehicles** and Passenger Buses. Trailers and trucks, including **delivery vehicles** and passenger buses, may be parked on town streets and rights-of-way for loading and unloading purposes only but shall under no circumstances be left unattended for a period of more than two hours at a given time.

B. Attached Trailers. Trailers attached to or being towed by otherwise lawfully parked motor vehicles may be parked **on town streets and rights-of-way** for up to ~~twenty-four~~ **forty-eight (48)** consecutive hours during any **15-day consecutive period** ~~one-month period~~. As soon as the trailer is detached within the town, this exception shall not again apply to the particular trailer for at least one month, even if the trailer is later reattached **during the month in which it was detached**.

C. Travel Campers. Travel campers as defined in Section 17.04.050 may be parked **on town streets and rights-of-way** for up to ~~twenty-four~~ **forty-eight (48)** consecutive hours during any **15-day consecutive** ~~one-month period~~ **and solely for the purposes of loading, unloading, charging, or cleaning the travel camper**.

D. Town Maintenance and Construction Vehicles. This chapter shall not apply to town-owned maintenance or construction vehicles.

12.12.040 Temporary permits.

The town administrator **or designated town staff** shall have the authority and discretion to issue a temporary permit exempting any truck **or** trailer ~~or vehicle advertised for sale~~ from the restrictions of this chapter. **Travel campers and vehicles advertised for sale are not eligible for the temporary permit provided for in this section.** The permit shall be valid for a period of up to ~~fourteen (14)~~ **seven (7) consecutive** days ~~and may be renewed at the discretion of the town administrator.~~ **In exceptional circumstances, a temporary permit renewal may be considered and issued at the sole discretion of the town administrator.** The permit shall specify the location where the truck, trailer, or vehicle may be parked and shall not authorize parking except in such designated area. The permit shall at all times be visibly displayed on or in the truck, trailer, or vehicle. The initial permit shall be issued free of charge. The town administrator shall have the authority to delegate his or her authority under this section as he or she deems appropriate.

12.12.050 Penalties and enforcement.

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Additionally, upon a third violation or more, or whenever a truck, trailer, or item advertised for sale has been left on a public street or right-of-way of the town for a period of more than seventy-two (72) consecutive hours, such truck, trailer, **travel camper**, or item may be towed and impounded by or at the direction of the police department or the town administrator.

3. Remainder of Code Unaffected. Those provisions of Chapter 12, Title 12, and all other sections, chapters, and titles of the Code not expressly amended by this Ordinance shall remain unchanged and in full force and effect.

4. Severability. Each section of this Ordinance is an independent section and a holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other section or part thereof.

INTRODUCED on July 6, 2021, at which time copies were available to the Council and to those persons in attendance at the meeting, read by title, passed on first reading, and ordered published in full and posted in at least two public places within the Town as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the Town of New Castle, Colorado, on July 20, 2021, read by title and number, passed with amendment as set forth herein, approved, and ordered published as required by the Charter.


TOWN COUNCIL OF THE TOWN OF
NEW CASTLE, COLORADO

By: _____



Art Riddile, Mayor

ATTEST:


Melody Harrison, Town Clerk

