

## RECORD OF PROCEEDINGS

100 Leaves

FORM 56 C. F. HOECKEL B. B. & L. CO.

### ORDINANCE No. 284

AN ORDINANCE RELATING TO STATE HIGHWAYS PROVIDING FOR CERTAIN REGULATIONS THEREON: AND PARTICULARLY RELATING TO STATE HIGHWAY NO. 56 IN THE TOWN OF BERTHOUD, COLORADO: DEDICATING THE SAME TO THE PEOPLE OF THE STATE OF COLORADO AS A PART OF STATE HIGHWAY No. 56, AND RECOGNIZING THE RIGHTS OF THE DEPARTMENT OF HIGHWAYS OF THE STATE OF COLORADO TO CONSTRUCT AND MAINTAIN THE SAME.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BERTHOUD:

Section 1. That the public necessity and convenience requires that a portion of State Highway No. 56, which lies in and on a street of said Town of Berthoud, be widened and reconstructed in accordance with the plans and specifications of Project No. S 0074(2) of the Department of Highways, State of Colorado.

Section 2. That the portions of the said streets are hereby dedicated to the people of the State of Colorado as connecting links in and as a part of Colorado State Highway No. 56 recognizing that they may be relocated or abandoned, as provided by law for State Highways, and recognizing that the streets or highways have priority over local intersecting streets.

Section 3. That the Town of Berthoud recognizes the right of the Department of Highways, State of Colorado and its contractor or contractors, to proceed at once or at any time in the future, to construct the connecting links of Colorado State Highway No. 56 in the Town of Berthoud on the portions of the streets involved.

Section 4. That portions of the Streets, when constructed and improved, shall remain through Streets; that the Town of Berthoud acknowledges the right of the Colorado Department of Highways to place signs and warnings at points selected by the Department for the purpose of informing the traveling public that the portions of the streets are through streets, and for the purpose of requiring such stops and speeds and other traffic controls as may be necessary to protect the traveling public in the use of said portions of the streets. That no commercial activity or encroachment shall be permitted within the right-of-way boundaries of said streets, and that the width from curb to curb of said streets shall be a minimum of 44 feet (except the channelized intersection).

Section 5. That on no portion of any State Highway or connecting link within the said Town of Berthoud shall any person violate any of the provisions of Chapter 13, Colorado Revised Statutes, 1953, nor any of the laws amending the same, or any of the rules or regulations issued in pursuance thereof.

Section 6. That parking is hereby prohibited at those points along the portions of said streets which are within the limits of this project in the Town of Berthoud, that upon the basis of engineering and traffic investigations by the Department of Highways, and by the Town of Berthoud it has been determined that a reasonable and true prima facie speed limit on portions of said streets shall be a minimum of 30 miles per hour in the business district and a minimum of 35 miles per hour on the remaining portions, provided that standard signs are erected giving notice of the authorized speed as provided by Chapter 13, Article 4, Section 33 (4) and 34 (2), Colorado Revised Statutes, 1953.

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Section 7. That there shall be no parking whatsoever on any roadway or contiguous shoulder of any State Highway or connection link within the said Town during the times and at the places where snow removal operations are in progress.

Section 8. That any violation of this Ordinance shall be punishable in the police court of the Town of Berthoud by penalty as provided by Ordinance No. 237 of the Town of Berthoud regulating the use of public streets. That any police officer of the said Town of Berthoud is hereby authorized and required to enforce the provisions of this Ordinance and the Police Magistrate shall have jurisdiction to hear and try any person charged with its violation and if such person be guilty, to punish such person as provided in the above mentioned Ordinance No. 237.

Section 9. That in order to establish the streets and connecting links it will be necessary to take and purchase certain property included within the above described right-of-way. By this Ordinance the said Town of Berthoud recognizes the right of the Department of Highways to purchase or condemn any such private property.

Section 10. That all traffic and parking regulations hereafter adopted which pertain to the streets and roadway which form a part of the State Highway System or being a connecting link thereof, shall be submitted to the Department of Highways for approval in accordance with the provisions of Chapter 202, Section 35(d) of the Session Laws of Colorado, 1953, before they shall become effective.

Section 11. That all parts of Ordinances in conflict herewith are hereby repealed.

Section 12. That if any provision of this Ordinance, or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are declared to be severable.

Section 13. That this Ordinance is necessary to protect and preserve the public health, safety, convenience and general welfare and that certain funds now available to construct the portion of said Highways must be used within a short period of time or be forfeited and it is enacted for that purpose and shall be in force and effect immediately after passage and final publication.

Approved on first reading July 10, 1962.

Berthoud, Colorado

Attest:

Town Clerk

*Viola Barrowman*

By

Mayor

*Thomas C. Sen*

Approved on Second and Final Reading August 14, 1962.

Berthoud, Colorado

Attest:

Town Clerk

*Viola Barrowman*

By

Mayor

*Thomas C. Sen*