

ORDINANCE NO. 1097

AN ORDINANCE OF THE TOWN OF BERTHOUD, LARIMER AND WELD COUNTIES, COLORADO AMENDING SECTION 17 OF THE TOWN OF BERTHOUD *MUNICIPAL CODE* REGARDING THE OPERATION OF NEIGHBORHOOD ELECTRIC VEHICLES

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, LARIMER AND WELD COUNTIES, COLORADO:

Section 1: Section 17 of the Town of Berthoud *Municipal Code* should be amended to include the following:

Article 20: Operation of Neighborhood Electric Vehicles

Neighborhood electric vehicles (“NEV”), as such are defined under *Colorado Revised Statutes*, may be operated on the streets and alleys of the Town of Berthoud subject to the following:

- A. No NEV vehicle may be operated upon Mountain Avenue/Colorado State Highway 56 or any other street or highway within the limits of the Town that has a posted speed limit that exceeds thirty-five (35) mph. The speed of an NEV may not exceed twenty-five (25) mph. NEVs may cross Mountain Avenue/Colorado State Highway 56 and any other street or highway within the limits of the Town at designated street intersections.
- B. All NEVs must be properly equipped and registered as provided by *Colorado Revised Statutes*.
- C. NEVs are subject to all applicable ordinances and state statutes including, but not limited to, financial responsibility. Nothing in this ordinance shall relieve an owner of an NEV of any obligation imposed by Colorado state statutes applicable to NEVs, including, but not limited to those relating to financial responsibility.
- D. NEVs shall be required to display the “slow moving vehicle” emblem.
- E. NEVs shall not carry a greater number of persons or carry a greater load than that specified by the manufacturer. The driver and all passengers must be seated in seats substantially similar to those placed in the vehicle by the manufacturer.
- F. No person shall operate an NEV on a Town-owned or maintained trail except as permitted and posted by the Town.
- G. NEVs shall only be operated by persons holding a valid driver's license.

Section 2: Penalty Clause

It shall be unlawful to violate any provision of this Section and upon conviction, the guilty party may be sentenced to a three hundred (\$300) dollar (\$300) fine, ninety (90) days in jail, or may be ordered to perform useful public service.

Section 3: Emergency Clause

The implementation of this ordinance as an emergency is necessary and appropriate based upon the health, safety and welfare needs of individuals in the Berthoud Community.

Section 4: Effective Date.

The Board of Trustees of the Town of Berthoud herewith finds, determines and designates that this Ordinance shall take effect and be in force immediately upon publication.

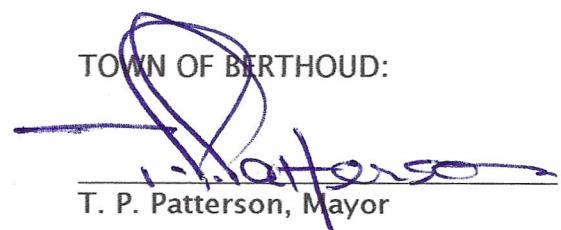
At its meeting on September 9, 2008 a public hearing was set by the Board of Trustees of the Town of Berthoud for its meeting on the 23rd day of September, 2008. After the public hearing, the ordinance was read, passed and ordered published by the Board of Trustees at its meeting this 23rd day of September, 2008.

ATTEST:

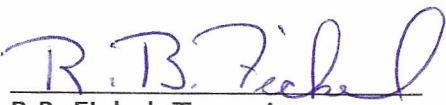

Mary K. Cowdin

Published: 10-2-08

TOVN OF BERTHOUD:


T. P. Patterson, Mayor

Approved as to Form:


R.B. Fickel, Town Attorney