

## Amendment to Council Bill 23-0373 concerning parking enforcement

Councilmember Clark

April 19, 2023

Councilmembers,

I move to amend **CB23-0373** as follows:

1. On page 1, strike lines 12-31 and replace with:

### **Sec. 54-1. Definitions.**

Words and phrases used in this chapter shall have the following meaning respectively ascribed to them:

~~(36) Motor home shall mean any wheeled vehicle that is self-powered and self-contained unit designed and generally and commonly used for occupancy by persons for residential use, recreational purposes or family transportation and is not used to transport cargo or passengers for profit, hire or otherwise in any business or commercial enterprise.~~

~~(36-37) Reserved.~~

(56.5) *Recreational vehicle* means a vehicle designed or used as a conveyance upon streets and highways, with or without motive power, and constructed so as to provide occupancy as a dwelling or sleeping place for one or more persons.

~~(74) Trailer shall mean every vehicle without motive power designed to carry property or passengers wholly on its own structure and to be drawn by a motor vehicle.~~  
*Trailer* means any vehicle, without motive power, that is designed to be drawn by a motor vehicle and to carry its cargo load wholly upon its own structure and that is generally and commonly used to carry and transport property over the public highways. For purposes of this Article VII, "trailer" shall not include recreational vehicles.

~~(75) *Reserved. Trailer coach or mobile home* shall mean any wheeled vehicle which is a single self-contained unit, without motive power, which is designed and generally and commonly used for occupancy by persons for residential purposes, in either~~

~~temporary or permanent locations, and which may occasionally be drawn over the public highways by a motor vehicle.~~

(80) Vehicle junker means any vehicle that is:

a. Apparently inoperable, disabled, or in an unsafe condition, or which does not have a current license plate; or

b. Extensively damaged, such damage including *but not limited to* any of the following: broken windows, broken windshield or both; missing wheels, tires, doors, muffler, motor, or transmission; tire or tires that are not properly inflated; or missing or damaged lamps or other equipment in proper condition and adjustment as required by this Chapter and Title 42 of the Colorado Revised Statutes.

(81) For purposes of this chapter, *unsafe condition* means any vehicle or combination of vehicles which has been maintained or modified in such a manner that may endanger any person or property, including but not limited to, protrusions added to the vehicle that obstruct the driver's or another driver's view or that extend into another lane of traffic, portions of the vehicle body cut away or removed, vehicles carrying unsafe or oversized loads, and vehicles that are unfit for the road.

(8082) Wheelchair shall mean a wheeled device designed for use by a person with a mobility handicap.

(8183) Yield shall mean to grant right-of-way.

2. On page 2, line 2, strike "Where" and replace with "Except as provided in sections 54-464 and 54-465, where"

3. On page 3, strike lines 8-19, and replace with:

(a) It shall be unlawful for any owner or operator of a vehicle to leave that vehicle parked in the same place on a public street continuously for a period in excess of seventy-two (72) hours. ~~A vehicle shall be considered in violation of this subsection if it has not been moved at least one hundred (100) feet during the seventy-two-hour period of time.~~ Except as provided in section 54-464, subsection (b) of this section, or when

posted signage indicates otherwise, a vehicle shall be considered in violation of this section if it has not been moved during the seventy-two-hour period of time.

(b) A recreational vehicle that does not exceed twenty-two (22) feet in length shall be considered in violation of this section if it has not been moved to a location that is at least seven hundred (700) feet away during the seventy-two-hour period of time.

~~(b) — It shall be unlawful for the owner of an automobile junker to leave it parked on any public street for a period in excess of seventy two (72) hours, regardless of location. The seventy-two hour time limit includes the cumulative time spent on any public street.~~

~~For purposes of this section, an automobile junker is defined as a vehicle which is:~~

- ~~(1) — Apparently inoperable; and~~
- ~~(2) — Extensively damaged, such damage including *but not limited to* any of the following: broken windows, windshield, or both; missing wheels, tires, motor, or transmission.~~

4. On page 3, line 3, strike “(3)” and replace with “(c)”

5. On page 5, line 28, strike “54-464(1)” and replace with “54-464(a)”

6. On page 5, line 30, strike “54-464(2)” and replace with “54-464(b)”

7. On page 8, line 25, strike “(24)” and replace with “(24)”

### **PURPOSE OF THE AMENDMENT**

This amendment defines different vehicle types and clarifies that in areas where there are no parking time limits or meters, vehicles have to move after 72 hours but can now move anywhere—there’s no requirement to move any amount of feet.

**If the amendment passes it will not require a delay in publication**