

STATE OF COLORADO  
COUNTY OF GILPIN  
CITY OF BLACK HAWK

COUNCIL BILL NUMBER:   3  

ORDINANCE NUMBER: 2010-   3  

**TITLE:       AN ORDINANCE PROHIBITING BICYCLES PURSUANT TO SECTION  
109 OF THE MODEL TRAFFIC CODE AS ADOPTED BY THE CITY OF  
BLACK HAWK**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLACK HAWK,  
GILPIN COUNTY:

Section 1.     Legislative Findings.

A. The City of Black Hawk is authorized pursuant to Section 109 of the 2003 Edition of the Model Traffic Code, as amended by the City, to determine by ordinance following an engineering and traffic investigation of certain heavily traveled streets and highways upon which bicycles and other non-motorized traffic are prohibited; and

B. The City of Black Hawk has received an engineering and traffic investigation which provides a basis for the legislative determination that bicycles and other non-motorized traffic should be prohibited on Main Street, Black Hawk Street, Gregory Street, Bobtail Street, Mill Street, Richman Street, Selak Street, and Miners' Mesa Road within the corporate limits of the City because such traffic is incompatible with the normal and safe movement of vehicular traffic.

Section 2.     Bicycles Prohibited. Subject to the provisions of Section 3 of this Ordinance bicycles and other non-motorized traffic are hereby prohibited on Main Street, Black Hawk Street, Gregory Street, Bobtail Street, Mill Street, Richman Street, Selak Street, and Miners' Mesa Road within the corporate limits of the City of Black Hawk.

Section 3.     Implementation. The City Manager or the City Manager's designee is hereby directed to do the following to implement the provisions of this Ordinance:

A. Cause to be erected appropriate official signs pursuant to the Model Traffic Code as adopted by the City and Section 8-111 of the City of Black Hawk Municipal Code giving notice of the prohibition of bicycles and other non-motorized traffic as set forth above;

B. Promulgate rules that will allow bicycle traffic that originates locally to continue to operate with City Manager authorization, while still assuring that such bicycle traffic can operate in a manner that is not incompatible with vehicular traffic; and


C. Cause a copy of the City's engineering and traffic investigation to be in the City Clerk's office, and available for inspection upon request in accordance with the Colorado Open Records Act, C.R.S. § 24-72-201, *et seq.*

Section 4. Safety Clause. The Board of Aldermen hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Black Hawk, 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 Board of Aldermen further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

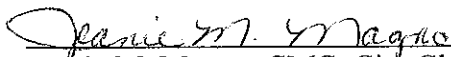
Section 5. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 6. Effective Date. The City Clerk is directed to post the Ordinance as required by the Charter. This Ordinance shall become effective upon posting by the City Clerk.

READ, PASSED AND ORDERED POSTED this 27 day of January, 2010.

  
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David D. Spellman, Mayor

ATTEST:

  
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Jeanie M. Magno, CMC, City Clerk