

ORDINANCE NO. 500

AN ORDINANCE AMENDING ARTICLE IV OF THE MODEL TRAFFIC CODE OF THE TOWN OF BERTHOUD, LARIMER COUNTY, COLORADO, BY REPEALING AND REENACTING ARTICLE IV, SECTION 4-1, RELATING TO SPEED REGULATIONS.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, LARIMER COUNTY, COLORADO:

Section 1.

That Article IV, Section 4-1, of the Model Traffic Code of the Town of Berthoud, Colorado, be and the same is hereby repealed and reenacted to read as follows:

Sec. 4-1. Basic rule. - (a) No person shall drive a vehicle on a street or highway within this municipality at a speed greater than is reasonable and prudent under the conditions existing, and in no event greater than fifty-five miles per hour.

(b) Except when a special hazard exists that requires lower speed, and except as otherwise provided herein, the following speeds shall be lawful, but any speed in excess of said limits shall be *prima facie* evidence that the speed is not reasonable or prudent and that it is unlawful:

- (1) Thirty miles per hour in any business district;
- (2) Thirty miles per hour in any residence district;
- (3) Twenty miles per hour on narrow, winding mountain highways and blind curves;
- (4) Forty miles per hour on open mountain highways;
- (5) Fifty-five miles per hour on highways for which a higher speed was authorized prior to January 24, 1974, and for which a lower speed has not been authorized pursuant to section 4-2 herein;
- (6) Any speed not in excess of a posted speed limit as established pursuant to the provisions of section 4-2 or section 4-3.

(c) Unless otherwise declared by ordinance adopting this Code and so permitted by law, any speed in excess of said limits in subsection (b) of this section or in excess of the posted speed limit shall be *prima facie* evidence that the speed is not reasonable or prudent and that it is unlawful, except that any and all fifty-five mile per hour speed limits shall be considered maximum lawful speed limits and not *prima facie* speed limits.

Section 2.

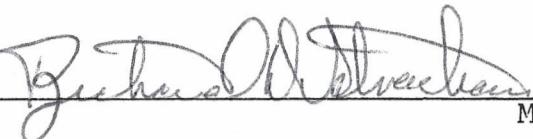
The Board of Trustees herewith finds, determines, and designates that this Ordinance is necessary for the immediate preservation of the public peace, health, and safety due to the necessity of ensuring effective enforcement of the traffic laws within the Town. And whereas in the opinion of the Board of Trustees an emergency exists, this Ordinance shall take effect and be in force immediately after its final passage and adoption.

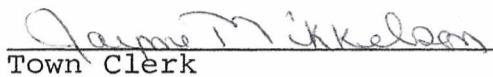
This Ordinance was introduced, read, and passed at the regular meeting of the Board of Trustees held the 22nd day of July, 1980.

TOWN OF BERTHOUD:

ATTEST:

By

 Richard M. Strelakian  
Mayor

  
James M. Nekelson  
Town Clerk

Published:  
Loveland Reporter Herald  
July 31, 1980