

ORDINANCE NO. 10-2025

**AN ORDINANCE AMENDING CHAPTER 8 – VEHICLES AND
TRAFFIC, ARTICLE 1 – MODEL TRAFFIC CODE, SEC. 8-1-30 –
ADDITIONS OR MODIFICATIONS, THE SAID MODEL
TRAFFIC CODE, AS ADOPTED IS SUBJECT TO THE
FOLLOWING ADDITIONS OR MODIFICATIONS, OF THE
GARDEN CITY MUNICIPAL CODE REGARDING DRIVING
UNDER RESTRAINT**

WHEREAS, the Town of Garden City Board of Trustees has become aware that the Town's municipal code concerning Driving Under Restraint is broader than *C.R.S. 42-2-138* Driving Under Restraint – penalty - definitions; and

WHEREAS, the Board of Trustees recognizes that the Town's municipal code needs to comply with state law; and

WHEREAS, the Board of Trustees believes it is in the best interest of the Town to amend Sec. 8-1-30(b)(1) concerning Driving Under Restraint in its municipal code to follow *C.R.S. 42-2-138*.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF GARDEN CITY, COLORADO AS FOLLOWS:

Section 1. Amendment of Chapter 8 – Vehicles and Traffic, Article 1 – Model Traffic Code, Sec. 8-1-30(b)(1) – Additions or modifications, the said model traffic code, as adopted, is subject to the following additions or modifications, of the Garden City Municipal Code is hereby modified by amending the following section concerning Driving Under Restraint that currently reads:

b) *Part 1 Section 119 - Driving Under Restraint* is added to the Model Traffic Code:

(1) Any person who drives a motor vehicle or off-highway vehicle upon any street or highway with the knowledge that the person's license or privilege to drive, either as a resident or nonresident, is under restraint for an outstanding judgment, or suspended or revoked by the licensing authority, is in violation of this section.

Shall be replaced with the following:

b) *Part 1 Section 119 - Driving Under Restraint* is added to the Model Traffic Code:

(1) Any person who drives a motor vehicle or off-highway vehicle upon any street or highway with the knowledge that the person's license or privilege to drive, either as a resident or nonresident, is under restraint for an outstanding judgment by the licensing authority, is in violation of this section.

Section 2. Severability. Should any section, clause, sentence or part of this ordinance be adjudged by a court of competent jurisdiction to be unconstitutional, and or invalid, such adjudication shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

Section 3. Effective Date. This Ordinance shall take effect thirty (30) days after publication as required by law.

PASSED, ADOPTED AND APPROVED THIS 20th DAY OF OCTOBER, 2025.

TOWN OF GARDEN CITY

By: _____
Mayor

ATTEST:

Town Clerk