

ORDINANCE NO. 950

AN ORDINANCE AMENDING THE MODEL TRAFFIC CODE  
ADOPTED BY REFERENCE BY THE CITY OF GOLDEN AND  
PROVIDING FOR AN EMISSIONS CONTROL CERTIFICATE  
REQUIREMENT WITHIN THE CITY OF GOLDEN

WHEREAS, H.B. 1241 enacted by the 1983 Colorado legislature permitted local jurisdictions to enforce the State emissions control certificate program at the municipal level, and it is the desire of the City of Golden to provide for the same.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF  
THE CITY OF GOLDEN, COLORADO:

Section 1. Section 10.04.020, of the Golden Revised Ordinances of 1965, which is additions or modification to the Model Traffic Code, adopted by reference by the City of Golden, is hereby amended by the addition of sub-section (E) therein, as follows:

"(E) Section 19-9 is added as follows:

'Sec. 19-9. Emissions Control Certificate.  
(a) It is unlawful for any person to drive, stop, park, or for the owner or person in charge of any motor vehicle to cause or knowingly permit to be driven, stopped or parked on any street or highway within the City of Golden, any motor vehicle which is required under the laws of the State of Colorado to be inspected pursuant to the Automobile Inspection and Readjustment Program, established pursuant to Sections 42-4-306.5 to 42-4-316, Colorado Revised Statutes, as amended, unless such motor vehicle has been inspected at an authorized inspection station and has attached thereto, in proper position, a valid and unexpired certification of emissions control, as required by the laws of the State of Colorado.

(b) In any prosecution of the provisions of this Section, proof that the vehicle described in the complaint was driven, parked or stopped in violation of this section, together with proof that the defendant named in the complaint was at the time of such driving, stopping or parking, a registered owner of the vehicle, shall constitute prima facie evidence that the defendant was the person who drove, parked, stopped or knowingly permitted to be driven, stopped or parked, such unattended vehicle at the place where, and for the time which such violation occurred.'"

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Section 2. Violation - Penalty. The penalty for violating the provisions set forth in Section 1 of this ordinance, shall be as provided in Section 10.04.040 of the Golden Revised Ordinances of 1965, as amended.

Section 3. Any ordinances or portions of ordinances in conflict herewith are hereby repealed.

Introduced, read and ordered published this 9th day of February, 1984.

Adopted, approved, and ordered published this 23rd day of February, 1984.

\_\_\_\_\_  
Dr. Ruth A. Maurer  
Mayor

ATTEST:

\_\_\_\_\_  
Sharon L. Bennetts  
City Clerk

Approved as to form:

\_\_\_\_\_  
Russell J. Sindt  
City Attorney

I, Sharon L. Bennetts, City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing ordinance was introduced on first reading and read at a regular meeting of the City Council of said city, held on the 9th day of February, and was published as a proposed ordinance in the Colorado Transcript, legal newspaper, as the law directs seven days or more prior to its passage. A public hearing was held and on the 23rd day of February, 1984, the said proposed ordinance was read on second reading and passed by the City Council and ordered published in the aforesaid newspaper as the law directs.

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Witness my hand and official seal of the City of Golden,  
Colorado, this 24th day of February, 1984.

Attest:

\_\_\_\_\_  
Sharon L. Bennetts  
City Clerk of the City of  
Golden, Colorado

(SEAL)