

**TOWN OF SILT  
ORDINANCE NO. 3  
SERIES OF 2023**

**AN ORDINANCE OF THE TOWN OF SILT, COLORADO ENACTING A NEW CHAPTER 12.14 OF THE SILT MUNICIPAL CODE TO ALLOW THE TOWN TO REGULATE AND REVIEW REQUESTS FOR CLOSURE OF PUBLIC RIGHTS OF WAY FOR CONSTRUCTION WORK THAT REQUIRES THE PARTIAL OR COMPLETE CLOSURE OF ANY PUBLIC STREET, ROAD, HIGHWAY, ALLEY, OR SIDEWALK.**

**WHEREAS**, the Town of Silt, Colorado (the "Town"), is a municipal corporation duly organized and operating as a home-rule municipality under its Town Charter and the Constitution and laws of the State of Colorado; and

**WHEREAS**, Title 12 of the Silt Municipal Code ("Code") addresses streets, sidewalks, and public places in the Town; and

**WHEREAS**, Town desires the ability to provide a uniform policy and establish administrative procedures that involve the temporary closure of its public rights-of-way and to create a Traffic Control Plan and Method of Handling Traffic prior to any closures in order to inform the public and mitigate the related impacts on the Town's rights-of-way; and

**WHEREAS**, the Board of Trustees finds and determines that it is in the best interests of the Town and will promote the health, safety, and welfare of the Town to amend the Code to address the temporary closures and to create a Traffic Control Plan and Method of Handling Traffic prior to any closures of public rights of way as set forth herein.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SILT, COLORADO:**

**SECTION 1**

The foregoing recitals are hereby incorporated into this Ordinance.

**SECTION 2**

The Town Code is hereby amended with the enactment of Chapter 14 of Title 12 – Traffic Control, as follows:

## **Chapter 12.14 – TRAFFIC CONTROL**

### **12.14.010 - General**

The purpose of this chapter is to provide a uniform policy for, as well as establish administrative procedures for, the temporary closure of dedicated public rights-of-way for construction work. Where work requires either partial or complete closure of any public street, road, highway, alley, or sidewalk, the contractor shall submit a Traffic Control Plan to the Town of Silt for approval at least 48 hours in advance of the actual closure. If the work requires the complete closure of an arterial or collector street, the Traffic Control Plan shall be submitted 7 days in advance of the actual closure, so that there will be sufficient time for public notification. The contractor or person in charge of the project shall notify the Town of Silt Police Department, Fire District, and Public Works 24 hours prior to the time the closure is to begin and again when the street is reopened. Where the control and maintenance of traffic has not been performed as specified in the approved Traffic Control Plan, the applicant shall act to provide for the control and maintenance of traffic as directed by the Town. All costs incurred by the Town shall be borne by the contractor.

### **12.14.020 - Traffic Control Plan (TCP) and Method of Handling Traffic (MHT)**

The Traffic Control Plan ("TCP") and Method of Handling Traffic ("MHT") shall be prepared by a traffic control firm for the Contractor for review by the Town of Silt, unless otherwise authorized by the Town Administrator or their designee. No work shall commence without an accepted TCP and MHT. Any changes to the TCP or MHT must be approved by the Town of Silt or their designated representative prior to implementation. The TCP and MHT will be reviewed with the Contractor at the preconstruction meeting. The TCP shall include:

- Identification of construction zones (work area).
- Scheduling (start/completion date).
- Signs (size and type to be used and their location relative to the work area), including advance notification sign.
- The method and materials to be used for delineation and channelization of traffic movements.
- Placement and maintenance of traffic control devices
  - Removal and/or application of pavement markings.
- Location of flagging persons, where required.
- Detour routes where the use of detours is approved by the Town of Silt.

- All elements of the TCP will be dimensioned and these dimensions will be followed as closely as possible in setting up the work zone and the associated signing.

The written Method of Handling Traffic (MHT) shall be submitted with the TCP and shall include:

- Advance notification sign, including an example containing the Contractor's name and telephone number.
- Example of handbill to be delivered to each business and property owner affected by the TCP.
- Allowable speed limits signs and why they need to be reduced, if necessary.
- Method of closing and reopening, lengths of roadway affected and time durations of each phase of traffic control.
- Location of flaggers and time duration of flagging.
- Maintaining emergency vehicle access.
- Maintaining delivery access.
- Maintaining pedestrian access and bicycle access.
- Access to businesses and property owners within the construction or detour zone.
- Locations of vehicle parking, equipment storage and material storage.
- Contractor ingress and egress locations.
- Driving lane + shoulder or gutter width (shall not be less than 14 feet). If width is not available, provide alternate methods and appropriate signage.
- Name and cell telephone number (Calls must be responded to within one hour of receipt during period of work that traffic control measures remain in place) of the Contractor's certified traffic control supervisor.
- Tabulation of all traffic control devices to be used by the Contractor during each phase of construction.

Once the TCP and a written MHT for each construction phase is reviewed and accepted by the Town of Silt, the Contractor is solely responsible for the notification of businesses and residents, furnishing, installation, moving, maintenance, inspection of the construction zone, and removing the traffic control devices. If the construction zone is not maintained by the Contractor, the Town of Silt will either:

- Order and install the traffic control devices and charge the Contractor, or,
- Not allow the work to continue.

The work area shall be understood to include all open trenches, other excavations, material piles, equipment, obstructions, parking, detours and other temporary roadways, and other similar hazards within or related to the project. Approval of the TCP and MHT

in no way shall relieve the Contractor of liability. If the construction time is exceeded, the Contractor shall personally notify each business or residence affected by the work of a new construction completion time.

## **12.14.030 - Traffic Control Devices**

### **A. General Requirements**

On or adjacent to all streets, roads, highways and other public thoroughfares which require closure, either partial or complete, under the authority of a proper permit, the work area and the traveling public, either vehicular or pedestrian, shall be protected by means of approved traffic control devices as provided in the MUTCD.

### **B. Specific Requirements**

1. Barricades shall be painted, kept clean, weighted, and the face material shall be retro-reflective.
2. All signs (warning, regulatory, etc.) shall be kept clean and shall be replaced when the face is damaged. These sign faces shall be retro-reflective. All signs shall be removed or turned away from the roadway immediately after they are no longer applicable.
3. Traffic cones are for daytime use only. Vertical hazard panels and/or Type I (sawhorse) barricades, with lights, shall be used at night.
4. When lights are used, steady burn lights shall be used for delineation and channelization. Flashing lights shall be used to denote a specific hazard.
5. Under certain conditions the use of pavement markings shall be required in addition to the devices used for delineation. This shall be shown on the TCP and the Town of Silt will determine the extent of the striping. When temporary markings are used, the existing markings shall be removed (not painted black). Temporary markings shall be installed by the contractor. These temporary markings shall be removed when the construction is completed. The permanent markings shall be reinstalled by the contractor.
6. Pedestrians shall not be diverted onto the roadway.
7. Open trenches will not be allowed after work hours, without prior approval of the Town of Silt.

8. Work hours on arterials and collector streets are from 8:30 AM to 3:30 PM, Monday through Friday, unless other hours are authorized by the Town of Silt. Work hours on local streets are from 7:00 a.m. to 9:00 p.m., Monday through Friday.

9. Spillage and mud trackage from trucks and equipment shall be cleaned up immediately.

10. When the normal operation of a traffic signal must be interrupted, uniformed officers shall be used to direct traffic. Any expense incurred during this operation shall be borne by the contractor.

11. Construction within the right-of-way will not begin until all traffic control devices are in place.

12. Contractors will notify the Police Department, Fire Department, and the Public Works Department prior to commencing construction.

14. The contractor will keep a signed copy of the TCP at the work area during work hours. This will be available for inspection by the Town of Silt (or State) personnel.

#### **12.14.040 - State Highways**

Any work performed on a State Highway must have the approval of the Colorado Department of Transportation. A copy of the Colorado Department of Transportation approved permit or traffic plan will be presented to the Town of Silt. Any detours from a State Highway onto a Town of Silt streets must have approval from the Town of Silt prior to the detour being implemented.

#### **12.14.050 - Major Streets**

1. As a general rule, parkway streets, arterial streets and collector streets will not be completely closed, nor will traffic be detoured.

2. On multi-lane streets (2 or more through lanes in each direction), two-way traffic must be maintained at all times. One lane may be closed in each direction with proper signing and barricading.

3. Left-turn lanes or bicycle lanes may be used as a through lane providing pedestrians have adequate protection from traffic.

4. On single lane streets, (one through lane in each direction), one lane may be closed provided that adequate signs, barricades and a minimum of two flaggers are used.

\*All of 12.14.050 may be waived by Town Administrator or designee.

### **12.14.060 - Local Streets**

1. One-half of a local street may be closed if adequate barricading is present and a minimum of one (1) flagger is used to direct traffic.

2. Total Street closures will be allowed if an alternate access is available to all property owners and is approved by the Town of Silt.

### **12.14.070 - Advance Signs**

1. On major and/or collector streets, the advance warning signs shall be placed at the following minimum distances in advance of the construction area.

- a. Road Construction Ahead - 1,000 feet
- b. Right/Left Lane Closed Ahead - 750 feet
- c. Merge Right/Left or Flagger Ahead - 500 feet

2. On local streets, the advance warning signs shall be placed at the following minimum distances in advance of the construction area.

- a. Road Construction/Road Closed Ahead - 500 feet
- b. Flagger Ahead (if needed) - 250 feet

3. In some cases, the Town of Silt may determine that a reduction in vehicle speeds is advisable or necessary. This shall be accomplished using advisory speed plaques, and speed limit signs, which conform to the standards of the MUTCD.

4. The Town of Silt may require special, advance notice signs.

### **12.14.080 - Flag persons**

Anytime a flagger is required to direct the flow of traffic, that flagger must be visible to traffic. An ANSI Class 3 safety vest and hardhat must be worn by the flagger. For nighttime operations, this clothing must be reflectorized. The flagger must follow the flagging procedures stated in the MUTCD.

### **12.14.90 - Violations and Penalties**

- A. It shall be unlawful for any company or person to violate any of the provisions of this Chapter. Failure of a contractor or company to follow the provision of this Code by failing to obtain a Traffic Control Plan from the Town of Silt prior to the partial or full closure of any public rights-of-way shall be deemed unlawful and subject to the general penalties provision of Chapter 1.12 of the Silt Municipal Code.
  
- B. Failure to follow this Code may result in the termination of any issued work permits or certificates issued by the Town for failure to comply with Town Code.

### **SECTION 3**

All ordinances heretofore passed and adopted by the Board of Trustees of the Town of Silt, Colorado are hereby repealed to the extent that said ordinances, or parts thereof, are in conflict herewith.

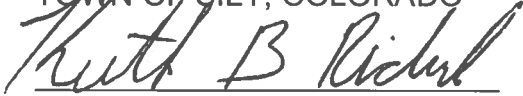
### **SECTION 4**

If any section, subsection, clause, phrase or provision of this Ordinance, or the application thereof to any person or circumstance, shall to any extent, be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases and provisions of this Ordinance, or the application thereof to any person or circumstance, shall remain in full force and shall in no way be affected, impaired or invalidated.

**INTRODUCED, READ, AND APPROVED ON FIRST READING** this 10<sup>th</sup> day of July 2023, at 7:00 PM in the Town Hall, Town of Silt, Colorado.

**PASSED, APPROVED ON SECOND READING, ADOPTED, AND ORDERED PUBLISHED** following a continued public hearing this 24<sup>th</sup> day of July 2023.

TOWN OF SILT, COLORADO



Mayor Keith B. Richel

ATTEST

  
Town Clerk Sheila M. McIntyre, CMC