TOWN OF MINTURN, COLORADO
ORDINANCE NO. 9 – SERIES 2013

AN ORDINANCE AMENDING TITLE 1, GENERAL PROVISIONS, OF THE MINTURN TOWN CODE FOR GENERAL PENALTIES FOR VIOLATIONS OF THE MINTURN TOWN CODE

WHEREAS, the Town of Minturn, in the County of Eagle and the State of Colorado (hereinafter the "Town"), is a home rule municipal corporation duly organized and existing under laws of the State of Colorado and the Town Charter (hereinafter the "Charter"); and

WHEREAS, the members of the Town Council of the Town (hereinafter the "Council") have been duly elected and qualified;

WHEREAS, The Town, acting by and through the Council, has the power to amend the Municipal Code of the Town of Minturn ("hereinafter the "Code") pursuant to the Charter, and all such amendments shall become a part of the Code; and

WHEREAS the Council finds that HB 13-1060 has permitted an increase in the general penalties for violations of municipal ordinances from $1,000.00 to $2,650 and it is the opinion of the Town that this increase in penalty is of public concern and permits efficient police enforcement of the provisions within the Code and would preserve the general welfare of the citizens and guests of the Town.

NOW, THEREFORE, THE TOWN OF MINTURN, COLORADO, ORDAINS:

Section 1. SECTION 1-4-20: General Penalty for Violation, Minturn Town Code, is hereby repealed and re-established as follows:

Sec. 1-4-20. General penalty for violation.

a. Any person violating any provisions or failing to comply with any of the mandatory requirements of the ordinances of the Town shall be guilty of a misdemeanor. Unless otherwise specifically provided, any person convicted of a violation of any such ordinance shall be punished by a fine not exceeding two thousand six hundred fifty dollars ($2,650.00), or by imprisonment not exceeding one, (1) year, or by both such fine and imprisonment. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the ordinances of the Town is committed, continued or permitted by any such person, and he or she may be punished accordingly.

b. The limitation on Town fines as set forth in Paragraph (a) of this subsection shall be adjusted for inflation on January 1, 2014 and on January 1st of each year thereafter. As used in this paragraph (b), "inflation" means the annual percentage change in the United States Department of Labor, Bureau of Labor Statistics, Consumer Price Index for Denver-Boulder, all items, all urban consumers or its successor index.

Section 2. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance; and the Council hereby declares it would have passed this ordinance, and each part, section, subsection, sentence, clause or phrase thereof, regardless of the fact that any one or more parts, sections, subsections, sentences, clauses or phrases is declared invalid.

Section 3. The amendment of any provision of the Town Code as provided in this ordinance shall not affect any rights which have accrued, any duty imposed, any violation that occurred prior to the effective date hereof, any prosecution commenced, nor any other action or proceeding as commenced under or by virtue of this provision amended. The amendment of any provision hereby shall not revive any provision or any ordinance previously repealed or superseded unless expressly stated herein.

Section 4. All bylaws, orders, resolutions and ordinances, or parts thereof, inconsistent herewith are repealed to the extent only of such inconsistency. This repealer shall not be construed to revise any bylaw, order, resolution or ordinance, or part thereof, theretofore repealed.

Section 5. The Council hereby finds, determines and declares that this ordinance is necessary and proper for the health, safety and welfare of the Town and the inhabitants thereof.

INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THE 2nd DAY OF OCTOBER, 2013. The 16th DAY OF OCTOBER, 2013 AT 6:30 p.m. IS SET FOR PUBLIC HEARING HEREON AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

Hawkeye Flaherty

Hawkeye Flaherty, Mayor

ATTEST:

By: _____

Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO SEAL 1904

THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING THIS 16th DAY OF OCTOBER, 2013.

Hawkeye Flaherty

Hawkeye Flaherty, Mayor

ATTEST:

_____

Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO SEAL 1904

Thu, Oct 03, 2013 14:59:06
9609058

Ad Ticket #5

Acct: 1032852 **Name:** Town of Minturn
Phone: (970)827-5645 **Address:** P.O. Box 309
E-Mail: MANAGER@MINTURN.OR
Client:
Caller: Jay **City:** MINTURN
Receipt **State:** CO **Zip:** 81645

Ad Name: 9609058A **Original Id:** 0
Editions: 8VD/8VDI/ **Class:** 0990
Start: 10/07/13 **Stop:** 10/07/13
Color: **Issue** 1
Copyline: Ordinance No. 9-2013 **Rep:** Pam Schultz

Lines:	27
Depth:	2.26
Columns:	1
Discount:	0.00
Commission:	0.00
Net:	0.00
Tax:	0.00
Total	14.04
Payment	0.00

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TOWN OF MINTURN, COLORADO

Hawkeye Flaherty, Mayor

ATTEST:
By: Jay Brunvand, Town Clerk

Published in the Vail Daily October 7, 2013.
(9609058)

Ad shown is not actual print size

Mon, Oct 21, 2013 09:13:51
9647230

Ad Ticket #5

Acct: 1032852 **Name:** Town of Minturn
Phone: (970)827-5645 **Address:** P.O. Box 309
E-Mail: MANAGER@MINTURN.OR
Client:
Caller: Jay **City:** MINTURN
Receipt **State:** CO **Zip:** 81645

Ad Name: 9647230A **Original Id:** 0
Editions: 8VD/8VDI/ **Class:** 0990
Start: 10/23/13 **Stop:** 10/23/13
Color: **Issue** 1
Copyline: Ordinance No. 9 2013 **Rep:** Pam Schultz

Lines:	19
Depth:	1.6
Columns:	1
Discount:	0.00
Commission:	0.00
Net:	0.00
Tax:	0.00
Total	18.05
Payment	0.00

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THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING THIS 16th DAY OF OCTOBER, 2013.

Hawkeye Flaherty, Mayor

ATTEST:

Jay Brunvand, Town Clerk

Published in the Vail Daily October 22, 2013. (9647230)

Ad shown is not actual print size