

TOWN OF GRAND LAKE, COLORADO

ORDINANCE NO. 01-2017

AN ORDINANCE AMENDING THE TOWN'S GENERAL PENALTY PROVISION CONTAINED IN SECTION 1-1-9 OF THE TOWN CODE TO INCREASE THE MAXIMUM POSSIBLE FINES FOR MUNICIPAL VIOLATIONS

WHEREAS, the Board of Trustees of the Town of Grand Lake, Colorado, pursuant to Colorado Statute and the Town of Grand Lake Municipal Code, is vested with the authority of administering the affairs of the Town;

WHEREAS, the Colorado legislature has amended Section 13-10-113, C.R.S., to increase the maximum fine amount which a municipal court may impose for violations of a municipal ordinance from \$1,000 to \$2,650, and

WHEREAS, The Colorado legislature further amended Section 13-10-113, C.R.S., to state that the limitation on municipal court fines is to be adjusted for inflation on January 1 of each calendar year; and

WHEREAS, "inflation" is defined in the statute to mean 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; and

WHEREAS, the Town Board of Trustees wishes to increase the maximum monetary penalty which the Municipal Court may impose to conform to state law; and

WHEREAS, the Town Board of Trustees believes that these fines should be adjusted for inflation on January 1 of each year.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE:

1. Section 1-1-9 is amended to read in its entirety as follows:

1-1-9 General Penalty

Except as otherwise specifically provided within the Town Code, any person who shall violate any provision of this Code, or any provision of any code or other regulation adopted by reference by this Code, by doing any act prohibited or declared to be unlawful thereby, or who shall engage in any business, occupation or activity for which a license or permit is required without having a valid license or permit therefor, or who shall fail to

do any act required by any such provision, or who shall fail to do any act when such provision declares such failure to be unlawful or to be an offense, shall, upon conviction, be punished by the penalty specifically provided for such violation or, if none, then by a fine not exceeding two thousand six hundred fifty dollars (\$2,650.00) in addition to any costs which may be assessed. Each day upon which a violation continues shall constitute a separate offense unless some other specific time period is provided for any particular offense. The maximum fine set forth above shall be adjusted for inflation on January 1 of each calendar year. For the purpose of this provision, inflation shall mean 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

2. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this ordinance and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

3. Repeal. Existing ordinances or parts of ordinances covering the same matters embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this ordinance.


INTRODUCED AND PASSED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN GRAND LAKE ON THIS 13th DAY OF FEBRUARY, 2017.




Votes Approving: 4
Votes Opposing: 0
Absent: 1
Abstaining: 0

ATTEST:

TOWN OF GRAND LAKE, COLORADO



Katie Nicholls, Town Clerk

BY: 

James C. Peterson, Mayor