

ORDINANCE NO. 1037

AN ORDINANCE OF THE TOWN OF BERTHOUD, LARIMER AND WELD COUNTIES, COLORADO ADOPTING BY REFERENCE TITLE 17 WHICH SPECIFIES AND IDENTIFIES THE GENERAL OFFENSES AGAINST MUNICIPAL HEALTH, SAFETY AND WELFARE AS PART OF THE TOWN OF BERTHOUD MUNICIPAL CODE AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, LARIMER AND WELD COUNTIES, COLORADO:

Section 1. Adoption.

Pursuant to parts 1 and 2 of Article 16 of Title 31, C.R.S., there is hereby adopted by reference Title 17 as a portion of the *Town of Berthoud Municipal Code*. The purposes of this ordinance and code adopted herein are to establish the general offenses against municipal health, safety and welfare of the Town of Berthoud. Three (3) copies of Title 17 of the *Town of Berthoud Municipal Code* adopted herein are now filed in the office of the Clerk of the Town of Berthoud, Colorado, and may be inspected during regular business hours.

Title 17, General Offenses Against Municipal Health, Safety and Welfare is adopted as if set out at length.

Section 2. Penalties.

The following penalties, herewith set forth in full, shall apply to this ordinance:

It shall be unlawful to commit an act prohibited by this Title or to fail to perform an act required by this Title. Every violation and each day or portion thereof of a continuing violation shall constitute a separate violation. Each violation shall be punishable by a fine of up to three hundred dollars (\$300) or ninety (90) days in prison, or by both such fine and imprisonment.

Section 3. Application.

This ordinance shall apply to offenses by or against people, property, and the public officers or government of the Town of Berthoud.

Section 4. Validity.

If any part or parts of this ordinance are for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Town Board 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 invalid.

Section 5. Repeal.

Existing or parts of ordinances covering the same matters as embraced in this ordinance, specifically the current Title 17 of the *Town of Berthoud Municipal Code*, are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance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 taking effect of this ordinance.

Section 6. Certification.

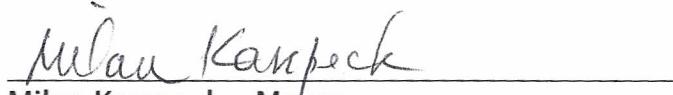
The Town Clerk shall certify to the passage of this ordinance and make not less than three (3) copies of the adopted portion of Title 17 available for inspection by the public during regular business hours.

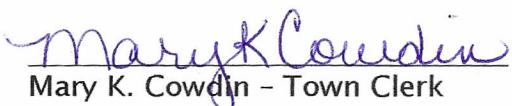
Section 7. Effective Date.

At the regular meeting of the Board of Trustees of the Town of Berthoud on July 11, 2006, this ordinance was introduced, and a public hearing was set by the Board of Trustees for its meeting on July 25, 2006. Notice of the public hearing was published twice in a newspaper of general circulation in the Town of Berthoud, and once at least eight (8) days preceding it. After several continuations of the public hearing, this ordinance was read and passed by the Board of Trustees at its meeting on October 24, 2006 to be effective 30 days after publication.

TOWN OF BERTHOUD:

ATTEST:

  
Milan Karspeck - Mayor

  
Mary K. Cowdin - Town Clerk

Published: Nov. 9, 2007