

TERRITORIAL CHARTER

AND

MUNICIPAL CODE

OF THE

TOWN OF

GEORGETOWN, COLORADO

2003

Published by

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OFFICIALS
of the
TOWN OF GEORGETOWN

Police Judge
Thomas A. Bennhoff

Police Judge Pro Tem
Matthew D. Skeen

Board of Selectmen
Lee Behrens
John Jackson
Kathryn Johnson
James McCann
Mary Pat Young

Town Administrator
Thomas H. Hale

Town Clerk
Merinel Williams

Town Attorney
Kathleen Kelly

SUPPLEMENT NO. 3

GEORGETOWN MUNICIPAL CODE

Supplementation Instructions

This Supplement contains all ordinances deemed advisable to be included at this time through **Ordinance No. 08, 2008, adopted May 13, 2008.**

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COLORADO CODE PUBLISHING

Fort Collins, Colorado
August 2008

SUPPLEMENT NO. 2

GEORGETOWN MUNICIPAL CODE

Supplementation Instructions

This Supplement contains all ordinances deemed advisable to be included at this time through **Ordinance No. 2, 2007, adopted February 13, 2007.**

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COLORADO CODE PUBLISHING

Fort Collins, Colorado
August 2007

SUPPLEMENT NO. 1

GEORGETOWN MUNICIPAL CODE

Supplementation Instructions

This Supplement contains all ordinances deemed advisable to be included at this time through **Ordinance No. 3, 2005, adopted April 12, 2005.**

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Insert this instruction sheet behind the Supplementation Tab in the front of the volume. File removed sheets for future reference.

COLORADO CODE PUBLISHING

Fort Collins, Colorado

July 2005

SUPPLEMENTATION

Supplements to this Code provide periodic updating through the removal and replacement of pages. This inter-leaf supplementation system requires that each page which is to be removed and replaced is identified so that the updating may be accurately accomplished and historically maintained.

Instructions for supplementation are provided for each supplement, identified by Supplement number, date and inclusive ordinance numbers. The Instructions for posting the removal and replacement of pages must be followed and accomplished in sequence, with the most recent supplementation posted **last**.

When supplementation is completed and the removal and replacement of all pages are accomplished, the Instructions should be placed under the Supplementation tab, ahead of this page, with the most recent Instruction sheet on top. Previous Instructions should not be removed, so that the user may refer to this tab section to verify whether the code book is fully updated with all supplements included.

The maintenance of a Municipal Code with all supplementation is an important activity which deserves close attention so that the value of the code is maintained as a fully comprehensive compilation of the legislative ordinances of the municipality.

AMENDMENTS

Amendments may be made to the Code by additions, revisions or deletions therefrom. Those changes may be made as follows:

Additions: Additions may be made by ordinance to the Code as follows:

The "Georgetown Municipal Code" is amended by the addition thereto of a new Section 2.04.090, which is to read as follows:

(Set out full section number, title and contents)

or if the location of the new section number or numbers is undetermined, the Code may be amended as follows:

The "Georgetown Municipal Code" is amended by the addition of the following:

(Set out section title and contents)

Revisions: A revision of the Code may be accomplished as follows:

Section 2.04.090 of the "Georgetown Municipal Code" is repealed in its entirety and readopted to read as follows:

(Set out section number, title and entire contents of the readopted code section)

or as follows:

Section 2.04.090 of the "Georgetown Municipal Code" is amended to read as follows:

(Set out section number, title and entire contents of the amended code section)

Repeal: Sections, articles and chapters may be repealed as follows:

Section 2.04.090 of the "Georgetown Municipal Code" is repealed in its entirety.

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TERRITORIAL CHARTER

OF THE

TOWN OF GEORGETOWN

COLORADO

1868

Republished in 2003 by
COLORADO CODE PUBLISHING COMPANY
FORT COLLINS, COLORADO

GEORGETOWN
MUNICIPAL CODE

2003

A Codification of the General Ordinances
of the Town of Georgetown, Colorado

COLORADO CODE PUBLISHING COMPANY

FORT COLLINS, COLORADO

PREFACE

The Town of Georgetown, a territorial town established in 1868, has published its Municipal Code in a format which features the following:

The *Master Table of Contents* is the table containing the name of each title and chapter, with reference to page location. Preceding each title is a title table of contents, also identifying the title, each chapter and each section by the subject name provided.

The code is organized by subject matter under an expandable three-factor decimal numbering system which is designed to facilitate supplementation without disturbing the numbering of existing provisions. Each section number designates, in sequence, the numbers of the title, chapter and section. Thus, Section 18.12.050 is Section .050, located in Chapter 12 of Title 18. In most instances, sections are numbered by tens (.010, .020, .030, etc.), leaving nine vacant positions between original sections to accommodate future provisions. Similarly, chapters and titles are numbered to provide for internal expansion.

The *open chapter and page numbering system* creates reserved chapter and page numbers for expansion or revision of the code without undue complication when changes are made to the code by supplementation.

In parentheses following each section is a legislative history identifying the specific sources for the provisions of that section. This legislative history is complemented by the *Disposition of Ordinances Table*, which identifies the source for the contents of the code. This table provides ordinance numbers in chronological order and location by section number for the present code contents. Thus, if there is interest in determining whether an ordinance, or a portion thereof, is contained within the code, the Disposition of Ordinances Table will provide that information. The *Table of Up-to-Date Pages* lists all of the current pages through the most recent supplementation.

The *Index* provides references by common and legal terminology to the appropriate code sections. Cross-references are provided with the Index when appropriate.

Supplements to the code provide regular updating of the code to maintain it as a current compilation of all the legislation which has general and continuing effect. Without regular supplementation, the code would soon lose its usefulness as a complete source of the general law of the municipality. Supplementation is accomplished by the periodic publication of additions and amendments to the code.

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ORDINANCE NO. 2, 2003
(Series of 2003)

AN ORDINANCE OF THE BOARD OF SELECTMEN FOR THE TOWN OF GEORGETOWN, COLORADO, ADOPTING AND REENACTING THE GEORGETOWN MUNICIPAL CODE; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING FOR THE ADOPTION AND READOPTION OF SECONDARY CODES BY REFERENCE; PROVIDING PENALTIES FOR VIOLATIONS THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

Be It Ordained by the Board of Selectmen for Georgetown, Colorado, as follows:

Section 1. The Code entitled *The Georgetown Municipal Code* published by Colorado Code Publishing Company, consisting of Chapters 1 through 21, is adopted.

Section 2. All ordinances of a general and permanent nature enacted on or before the adoption date of this Ordinance, which are inconsistent with the provisions of the Georgetown Municipal Code, to the extent of such inconsistency, are hereby repealed.

Section 3. The repeal established in Section 2 of this Ordinance shall not be construed to revive any ordinance or part thereof that had been previously repealed by any ordinance which is repealed by this Ordinance.

Section 4. The following codes were adopted and are hereby readopted by reference and incorporated in the Georgetown Municipal Code. One (1) copy of each is on file in the Town Clerk's office:

(1) The *Model Traffic Code for Colorado Municipalities*, 1995 edition, published by the Colorado Department of Transportation, as adopted and amended in Section 10.04.010 et seq.;

(2) The *Uniform Building Code*, 1991 edition, published by the International Conference of Building Officials, as adopted and amended in Section 15.04.010 et seq.;

(3) The *Uniform Mechanical Code*, 1991 edition, published by the International Association of Plumbing and Mechanical Officials and the International Conference of Building Officials, as adopted and amended in Section 15.04.010 et seq.;

(4) The *Uniform Plumbing Code*, 1991 edition, published by the International Association of Plumbing and Mechanical Officials, as adopted and amended in Section 15.04.010 et seq.;

(5) The *Uniform Code for the Abatement of Dangerous Buildings*, 1991 edition, published by the International Conference of Building Officials, as adopted and amended in Section 15.04.010 et seq.;

(6) The *CABO – One- and Two-Family Dwelling Code*, 1989 edition, published by the International Conference of Building Officials, as adopted and amended in Section 15.04.010 et seq.;

(7) The *Uniform Housing Code*, 1991 edition, published by the International Conference of Building Officials, as adopted and amended in Section 15.04.010 et seq.; and

(8) The *Uniform Code for Building Conservation*, 1991 edition, published by the International Conference of Building Officials, as adopted and amended in Section 15.04.010 et seq.

Section 5. The following codes are hereby adopted by reference and incorporated in the Georgetown Municipal Code. One (1) copy of each is on file in the Town Clerk's office:

(1) The *National Electrical Code*, 2002 edition, published by the National Fire Protection Association, as adopted in Section 15.04.010 et seq.; and

(2) The *Uniform Fire Code*, 1997 edition, published by the International Fire Code Institute, as adopted and amended in Section 18-5-10 et seq.

Section 6. The penalties provided by the Municipal Code of the Town of Georgetown are hereby adopted as follows:

(1) 1.01.040 Penalty for altering copies of this Code. (Chapter 1.01, Code Adoption)

It shall be unlawful for any person, firm or corporation to change, amend, alter or tamper with, by additions or deletions, any part or portion of the Code, or to insert or delete pages or portions thereof, in any manner whatsoever which will cause the law of the Town of Georgetown to be misrepresented thereby; provided, however, that this Section shall not apply to additions, revisions or amendments duly passed and adopted by the Board of Selectmen, or to the editing or correction by the Town Attorney and/or Town Clerk of typographical, grammatical, formatting or similar nonsubstantive errors that may be discovered or occur from time to time within the Code. Any person, firm or corporation violating this Section shall be subject to the penalty provided in the penalty section of the official Code.

(2) 1.24.040 General prohibition and penalties; no imprisonment for noncriminal violations. (Chapter 1.24, General Penalty)

(a) No person shall violate any provision of this Code, nor shall any person, with intent to promote or facilitate the commission of an offense, aid, abet or advise another person in planning or committing a violation of the Code.

(b) Except where otherwise provided for by specific provision, all violations of this Code shall be deemed to be noncriminal and shall not be punished by imprisonment.

(c) Except in cases where a different punishment is specifically prescribed, any person who violates any provision of this Code shall be punished as follows:

(1) Violations of any criminal provision of the Code shall be punished by a fine in an amount not to exceed one thousand dollars (\$1,000.00), or by a term of imprisonment not to exceed one (1) year, or both such fine and imprisonment.

(2) Violations of any noncriminal provision of the Code or any noncriminal ordinance shall be punished by a fine in an amount not to exceed one thousand dollars (\$1,000.00).

(d) Each person shall be guilty of a separate offense for each and every day, or portion thereof, which any violation of any provision of the Code or an ordinance is committed, continued or permitted by such person, and such person shall be punished accordingly.

(3) 1.24.060 Failure to pay fine; insufficient funds checks. (Chapter 1.24, General Penalty)

(a) Any person who in a criminal action has been sentenced to a fine under this Code and who fails to make full and timely payment of the fine upon demand may be taken into custody upon court order and imprisoned for a period not to exceed fifteen (15) days or until the fine is completely paid, whichever occurs first. Each hour of confinement shall count as the

payment of one dollar (\$1.00) of the fine. The Municipal Court Judge may stay imprisonment if the person in default promises to pay the fine in installments fixed by the Court. If such person then defaults on the payment of any installments, the stay of imprisonment shall be immediately lifted and the person imprisoned.

(b) Any person who has been found guilty or liable for a noncriminal violation and against whom judgment has been rendered under this Code, and who falls to make full and timely payment of the judgment upon demand, shall be subject to any proceeding for satisfaction available under Colorado law, including, but not limited to, garnishment of funds and denial of renewal of driver's license pursuant to Section 42-4-1709(7)(a), C.R.S. Moreover, the Town Clerk may cause a delinquent judgment, inclusive of costs, to be certified to the Treasurer for Clear Creek County, to be collected and paid over in the same manner as real property taxes.

(c) Any person who submits payment for a fine by personal or other check which cannot be processed for payment to the Town due to insufficient funds or other cause shall be assessed and required to reimburse and/or pay to the Town as additional court costs any bank fees, penalties or charges incurred by the Town arising from the failure of the check to be honored for payment.

(4) 1.24.080 Application of penalties to juveniles; subpoena of parents, etc. (Chapter 1.24, General Penalty)

A juvenile shall be subject to the penalties set forth in this Chapter for criminal violations of the Code subject to the following limitations:

(1) A juvenile shall not be confined in a jail, lockup or other place used for the confinement of adults, but may be held in a juvenile detention facility operated by or under contract with the Department of Human Services, or a temporary holding facility operated by or under contract with the Town for the care of juveniles.

(2) In imposing penalties for a violation of probation conditions or for contempt of court in connection with a violation or alleged violation of the Code, including a failure to comply with a lawful order of the Court, the Municipal Court may order confinement of a juvenile for up to forty-eight (48) hours in a juvenile detention facility operated by or under contract with the Department of Human Services pursuant to Section 19-2-508, C.R.S.

(3) A juvenile may not be sentenced to a term of confinement in excess of ten (10) days for a violation of the Code, and the Municipal Court does not have authority to order a sentenced juvenile confined in a juvenile facility operated or contracted by the Department of Human Services.

(4) Upon the request of the Municipal Court Judge, the Town Prosecutor or a defendant, the Clerk of the Municipal Court shall issue a subpoena for the appearance, at any and all stages of the Court's proceedings, of the parent, guardian or lawful guardian of any juvenile who is charged with a municipal offense. A failure to comply with a subpoena without good cause may subject a person to contempt proceedings.

(5) Whenever a juvenile receives a summons or penalty assessment notice for any violation of the Code, the Clerk of the Municipal Court shall notify the juvenile's parent or legal guardian. A failure to provide such notice shall not in any way diminish or limit the jurisdiction of the Court over the juvenile or the Code violation.

(5) 3.12.100 Violation; penalty. (Chapter 3.12, Telephone Utility Tax)

If any firm, partnership, joint venture, association, corporation or company which is subject to the provisions of this Chapter fails, neglects or refuses to make any monthly installment payment in the manner prescribed in this Chapter, such firm, partnership, joint venture, association, corporation or company shall be guilty of a misdemeanor and, on conviction, shall be punished by a fine of not less than twenty-five dollars (\$25.00) nor more than three hundred dollars (\$300.00). Each day beyond the due date of the monthly installment payment shall constitute a separate and distinct misdemeanor.

(6) 5.16.050 Fines in lieu of license suspension or revocation. (Chapter 5.16, Liquor Licenses)

(a) Whenever a decision of the Liquor Licensing Authority suspending a license for fourteen (14) days or less becomes final, whether by failure of the licensee to appeal the decision or by exhaustion of all appeals and judicial review, the licensee may, before the operative date of the suspension, petition the Authority for permission to pay a fine in lieu of having the license suspended for all or part of the suspension period. Upon the receipt of the petition, the Authority may, in its sole discretion, stay the proposed suspension and cause any investigation to be made which it deems desirable and may, in its sole discretion, grant the petition if it is satisfied:

(1) That the public welfare and morals would not be impaired by permitting the retail licensee to operate during the period set for suspension and that the payment of the fine will achieve the desired disciplinary purposes;

(2) That the books and records of the licensee are kept in such a manner that the loss of sales of alcoholic beverages which the licensee would have suffered had the suspension gone into effect can be determined with reasonable accuracy therefrom; and

(3) That the licensee has not had his or her license suspended or revoked, nor had any suspension stayed by payment of a fine, during the two (2) years immediately preceding the date of the motion or complaint which has resulted in a final decision to suspend the retail license.

(b) The fine accepted shall be equivalent to twenty percent (20%) of the licensee's estimated gross revenues from sales of alcoholic beverages during the period of the proposed suspension; except that the fine shall be not less than two hundred dollars (\$200.00) nor more than five thousand dollars (\$5,000.00).

(7) 6.56.040 Violations; penalties; penalty assessments. (Chapter 6.56, Enforcement)

(a) It shall be unlawful for any person to violate the provisions of this Title. Except as specified below, violations of this Title shall constitute noncriminal offenses.

(b) Violations of the following provisions of this Title shall be subject to the following mandatory minimum penalties:

| <u>Section</u> | <u>First Violation</u> | <u>Second and Subsequent Violations</u> |
|----------------|------------------------|---|
| 6.08.040 | \$25.00 | \$ 50.00 |
| 6.12.050 | 25.00 | 50.00 |
| 6.16.050 | 25.00 | 50.00 |
| 6.20.010 | 35.00 | 75.00 |

| | | |
|----------|-------|--------|
| 6.28.020 | 50.00 | 100.00 |
| 6.32.020 | 50.00 | 100.00 |

(c) Violations of the following provisions of this article shall constitute criminal violations subject to the following mandatory minimum penalties:

| <u>Section</u> | <u>First Violation</u> | <u>Second and Subsequent Violations</u> |
|----------------|------------------------|---|
| 6.28.010 | \$75.00 | \$150.00 |
| 6.48.010 | 50.00 | 100.00 |
| 6.48.020 | 50.00 | 100.00 |
| 6.48.030 | 50.00 | 100.00 |
| 6.56.020 | 50.00 | 100.00 |

(d) Violations of this Title not provided for in Subsections (b) or (c) above shall be subject to a mandatory minimum penalty of ten dollars (\$10.00) for a first violation, and twenty dollars (\$20.00) for a second violation. Violations beyond a second violation shall be subject to a penalty of thirty dollars (\$30.00) plus ten dollars (\$10.00) for each subsequent violation.

(e) No animal shall be determined to be a vicious animal under Section 6.04.110, and no violation of Section 6.28.010 shall be determined or allowed, absent a hearing before the Municipal Court. Any person found to have violated, or who acknowledges guilt for having violated, Section 6.28.010 shall be required to pay the reasonable medical bills of any victim of the subject animal's vicious behavior, and to pay any other restitution as the Municipal Court may deem appropriate.

(f) Any person who is issued a citation for violation of any provision of this Title may be offered a penalty assessment by the enforcement officer, except for alleged violations as listed in Subsection (c) above. The amount of any penalty assessment shall be the amount of the corresponding mandatory minimum fine for the violation at issue.

(8) 8.04.230 Violation; penalty. (Chapter 8.04, Nuisances)

(a) It is unlawful for any person to create or cause a nuisance to exist on any property within the Town.

(b) It is unlawful for any person to maintain or allow a nuisance to exist on his or her property, or on property to which he or she has a right of possession or control.

(c) Any person convicted of or found liable for creating or maintaining any nuisance as provided for in this Chapter shall be subject to a fine up to one thousand dollars (\$1,000.00) for each and every violation.

(9) 9.16.071 Disposition of confiscated weapons; penalty for weapons violations. (Chapter 9.16, Firearms)

(a) It shall be the duty of every peace officer, upon making an arrest and taking a firearm or illegal or contraband substance from the person of the offender, to deliver or cause to be delivered the same to the Marshal, to be held in his or her custody until the final determination of the prosecution of said offense. The Marshal, or his or her authorized agent, shall dispose of weapons forfeited pursuant to this Chapter by destruction, sale or retention for department use in accordance with procedures and regulations of the Police Department. Any proceeds

received from such sale shall, after deducting costs of other expenses of sale, be paid into the General Fund or such other fund as directed by the Board of Selectmen.

(b) Any person violating any provisions of this Chapter shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed one thousand dollars (\$1,000.00) or by imprisonment not to exceed one (1) year, or by both such fine and imprisonment.

(10) 9.20.110 Possession of cannabis. (Chapter 9.20, Offenses Against Property)

(a) Any person who possesses, transfers, cultivates, grows, produces, processes or manufactures or knowingly allows to be cultivated, grown, produced, processed or manufactured on land or real property owned, occupied or controlled by him or her, not more than one (1) ounce of cannabis concentrate or derivative is guilty of the offense of possession of cannabis.

(b) The penalty for violation of this Section shall be by fine only, which shall not exceed one hundred dollars (\$100.00) for each offense.

(11) 10.04.070 Penalties. (Chapter 10.04, Traffic Code)

(a) It is unlawful for any person to violate any of the provisions of the Model Traffic Code for Colorado Municipalities (MTC), as amended by Section 10.04.020 above, or the traffic and vehicle ordinances contained in this Chapter. The penalties set forth below shall apply to such violations. Fines and surcharges shall be paid to the Clerk of the Municipal Court.

(b) Minimum mandatory fine. Any person convicted of or found liable for any violation under the MTC or the traffic and vehicle ordinances in this Chapter shall be punished by a fine of not less than the amount of the penalty assessment as set forth in Section 10.04.080(c) for each violation for which the person is convicted. If no penalty assessment is set forth in Section 10.04.080(c) for a violation, then the minimum fine and surcharge for such violation shall be one hundred dollars (\$100.00) and twelve dollars (\$12.00), respectively. Minimum fines and surcharges are mandatory and shall not be suspended or reduced by any court, unless the court finds that extenuating circumstances and justice manifestly so require. The court may also stay the execution of any minimum mandatory fine and surcharge for no longer than ninety (90) days, or pending an appeal or a rehearing.

(c) Maximum penalty.

(1) In criminal traffic offense actions, the maximum penalty for each conviction is as set forth in Section 1.24.040(b)(1) of this Code, to wit, a fine not to exceed one thousand dollars (\$1,000.00) or by a term of imprisonment not to exceed one (1) year, or both such fine and imprisonment.

(2) In civil traffic infraction actions, the maximum penalty for each violation shall not exceed the amount set forth in Section 1.24.040(b)(2) of this Code, to wit, not more than one thousand dollars (\$1,000.00).

(d) Discretion within minimum and maximum penalties. For each violation of the MTC or a traffic or vehicle ordinance for which a defendant is found liable or convicted, the court may set a fine, or for criminal violations, a fine and imprisonment, so long as the fine is not less than the minimum set in Subsection (a) of this Section. The court may suspend any part of a term of imprisonment, as well as that part of a fine which exceeds the minimum set in Subsection (a) of this Section. Whenever a conviction or finding of liability after a trial is for a violation for which a penalty assessment is available under the schedule in Section 10.04.080(c), it is the policy of the Board of Selectmen that the penalty imposed by the court for that violation be no less severe than the twenty-day penalty assessment figure for that violation, unless extenuating circumstances and justice manifestly so require. The reason for this policy is to save judicial and administrative expenses by encouraging defendants to elect to pay penalty assessments.

(12) 10.04.080 Penalty assessment. (Chapter 10.04, Traffic Code)

(a) Notice. Except as otherwise specifically provided, a peace officer shall issue a penalty assessment for all traffic infractions under the MTC, as amended by Section 10.04.020. Whenever a peace officer issues a summons and complaint for an alleged criminal traffic offense under the MTC which is listed in the schedule set forth in Subsection (c) of this Section, the peace officer may instead offer a penalty assessment notice. Notwithstanding the foregoing, no penalty assessment notice shall be issued or offered when: (1) the defendant exceeds the reasonable and prudent speed by more than twenty-four (24) miles per hour; or (2) the violation caused, or contributed to the cause, of an accident resulting in damage to property of another in an amount not less than two hundred dollars (\$200.00), or in injury or death to any person; or (3) more than one (1) violation is alleged, one (1) or more of which are not specified in the penalty schedule set forth in this Section; or (4) when the officer issuing the notice knows, or reasonably believes, that the alleged violator or vehicle has been involved in a criminal violation of any law of the Town for which there has been a conviction in a court of competent jurisdiction, and for which the sentence or judgment (be it fine or imprisonment) remains as yet unsatisfied. No person shall be entitled to elect to pay a penalty assessment under Subsection (b) of this Section unless an offer of a penalty assessment notice has been made under this Subsection.

(b) Election. Any person offered a penalty assessment notice under Subsection (a) above may elect to pay the penalty assessment and appropriate surcharge instead of proceeding to trial on the alleged violation. The amount of the penalty assessment and surcharge shall be as provided in the schedule set forth in Subsection (c) of this Section. Payment of a penalty assessment and corresponding surcharge constitutes complete satisfaction of the alleged violation if the prescribed payment is postmarked or received at Town Hall within twenty (20) days following service of a penalty assessment on the person for the alleged violation. Payment of a penalty assessment and surcharge constitutes an acknowledgment of liability for the

violation described in the summons or citation. If the person offered a penalty assessment notice elects not to make full and timely payment thereunder, an action on the alleged violation shall proceed as otherwise provided by law.

(c) Schedule. The following schedule sets forth the penalty assessments and surcharges which may be offered for violations of this Chapter and of the MTC. In the event a penalty assessment and surcharge is not paid within twenty (20) days following service thereof for a violation, the penalty assessment shall double unless the Municipal Court finds that extenuating circumstances and justice requires a lesser penalty.

| Violation | If Paid Within 20 Days | Min. if Paid After 20 Days | Surcharge |
|----------------------------------|-----------------------------------|---------------------------------------|------------------|
| General | | | |
| MTC 109 | \$15.00 | \$30.00 | \$2.00 |
| Equipment | | | |
| MTC 201 | 35.00 | 70.00 | 4.00 |
| MTC 202 | 35.00 | 70.00 | 4.00 |
| MTC 204 | 15.00 | 30.00 | 2.00 |
| MTC 205 | 15.00 | 30.00 | 2.00 |
| MTC 206 | 15.00 | 30.00 | 2.00 |
| MTC 207 | 15.00 | 30.00 | 2.00 |
| MTC 208 | 15.00 | 30.00 | 2.00 |
| MTC 209 | 15.00 | 30.00 | 2.00 |
| MTC 210 | 15.00 | 30.00 | 2.00 |
| MTC 211 | 15.00 | 30.00 | 2.00 |
| MTC 212 | 15.00 | 30.00 | 2.00 |
| MTC 213 | 15.00 | 30.00 | 2.00 |
| MTC 214 | 15.00 | 30.00 | 2.00 |
| MTC 215 | 15.00 | 30.00 | 2.00 |
| MTC 216 | 15.00 | 30.00 | 2.00 |
| MTC 217 | 15.00 | 30.00 | 2.00 |
| MTC 218 | 15.00 | 30.00 | 2.00 |
| MTC 219 | 15.00 | 30.00 | 2.00 |
| MTC 220 | 15.00 | 30.00 | 2.00 |
| MTC 221 | 15.00 | 30.00 | 2.00 |
| MTC 222(1) | 15.00 | 30.00 | 2.00 |
| MTC 223 | 15.00 | 30.00 | 2.00 |
| MTC 224 | 15.00 | 30.00 | 2.00 |
| MTC 225 | 15.00 | 30.00 | 2.00 |
| MTC 226 | 15.00 | 30.00 | 2.00 |
| MTC 227(1) | 50.00 | 100.00 | 6.00 |
| MTC 227(2) | 15.00 | 30.00 | 2.00 |
| MTC 228(1), (2), (3), (5) or (6) | 15.00 | 30.00 | 2.00 |
| MTC 229 | 15.00 | 30.00 | 2.00 |
| MTC 230 | 15.00 | 30.00 | 2.00 |
| MTC 231 | 15.00 | 30.00 | 2.00 |
| MTC 232 | 15.00 | 30.00 | 2.00 |
| MTC 233 | 75.00 | 150.00 | 9.00 |
| MTC 234 | 15.00 | 30.00 | 2.00 |
| MTC 235 | 50.00 | 100.00 | 6.00 |
| MTC 236 | 50.00 | 100.00 | 6.00 |
| MTC 237 | 15.00 | 30.00 | 2.00 |
| Size, Weight and Load | | | |
| MTC 502 | 75.00 | 150.00 | 9.00 |

| | | | |
|--|-------|--------|------|
| MTC 503 | 15.00 | 30.00 | 2.00 |
| MTC 504 | 75.00 | 150.00 | 9.00 |
| MTC 505 | 75.00 | 150.00 | 9.00 |
| MTC 506 | 15.00 | 30.00 | 2.00 |
| MTC 507 | 50.00 | 100.00 | 6.00 |
| MTC 508 | 50.00 | 100.00 | 6.00 |
| MTC 509 | 50.00 | 100.00 | 6.00 |
| MTC 510(9)(a) | 35.00 | 70.00 | 4.00 |
| Signals, Signs and Markings | | | |
| MTC 603 | 35.00 | 70.00 | 4.00 |
| MTC 604 | 35.00 | 70.00 | 4.00 |
| MTC 605 | 35.00 | 70.00 | 4.00 |
| MTC 606 | 15.00 | 30.00 | 2.00 |
| MTC 608 | 15.00 | 30.00 | 2.00 |
| MTC 609 | 15.00 | 30.00 | 2.00 |
| MTC 610 | 15.00 | 30.00 | 2.00 |
| MTC 612 | 35.00 | 70.00 | 4.00 |
| Rights-of-Way | | | |
| MTC 701 | 35.00 | 70.00 | 4.00 |
| MTC 702 | 35.00 | 70.00 | 4.00 |
| MTC 703 | 35.00 | 70.00 | 4.00 |
| MTC 704 | 35.00 | 70.00 | 4.00 |
| MTC 705 | 35.00 | 70.00 | 4.00 |
| MTC 706 | 35.00 | 70.00 | 4.00 |
| MTC 707 | 35.00 | 70.00 | 4.00 |
| MTC 708 | 35.00 | 70.00 | 4.00 |
| MTC 709 | 35.00 | 70.00 | 4.00 |
| MTC 710 | 35.00 | 70.00 | 4.00 |
| MTC 711 | 35.00 | 70.00 | 4.00 |
| Pedestrian | | | |
| MTC 801 | 15.00 | 30.00 | 2.00 |
| MTC 802 | 15.00 | 30.00 | 2.00 |
| MTC 803 | 15.00 | 30.00 | 2.00 |
| MTC 804 | 15.00 | 30.00 | 2.00 |
| MTC 805 | 15.00 | 30.00 | 2.00 |
| MTC 807 | 35.00 | 70.00 | 4.00 |
| Turning and Stopping | | | |
| MTC 901 | 35.00 | 70.00 | 4.00 |
| MTC 902 | 35.00 | 70.00 | 4.00 |
| MTC 903 | 35.00 | 70.00 | 4.00 |
| Driving, Overtaking and Passing | | | |
| MTC 1001 | 35.00 | 70.00 | 4.00 |
| MTC 1002 | 35.00 | 70.00 | 4.00 |
| MTC 1003 | 35.00 | 70.00 | 4.00 |
| MTC 1004 | 35.00 | 70.00 | 4.00 |
| MTC 1005 | 35.00 | 70.00 | 4.00 |
| MTC 1006 | 35.00 | 70.00 | 4.00 |
| MTC 1007 | 35.00 | 70.00 | 4.00 |
| MTC 1008 | 35.00 | 70.00 | 4.00 |
| MTC 1009 | 35.00 | 70.00 | 4.00 |
| MTC 1010 | 35.00 | 70.00 | 4.00 |
| MTC 1011 | 35.00 | 70.00 | 4.00 |
| MTC 1012 | 50.00 | 100.00 | 6.00 |

| Speeding | | | |
|------------------------------|--------|--------|-------|
| MTC 1101 | 15.00 | 30.00 | 2.00 |
| (1-4 mph over limit) | | | |
| MTC 1101 | 35.00 | 70.00 | 4.00 |
| (5-9 mph over limit) | | | |
| MTC 1101 | 50.00 | 100.00 | 6.00 |
| (10-19 mph over limit) | | | |
| MTC 1101 | 100.00 | 200.00 | 12.00 |
| (20-24 mph over limit) | | | |
| MTC 1101(3) | 35.00 | 70.00 | 4.00 |
| MTC 1103 | 15.00 | 30.00 | 2.00 |
| MTC 1104 | 15.00 | 30.00 | 2.00 |
| Parking | | | |
| MTC 1201 | 15.00 | 30.00 | 2.00 |
| MTC 1202 | 15.00 | 30.00 | 2.00 |
| MTC 1204 | 15.00 | 30.00 | 2.00 |
| MTC 1205 | 15.00 | 30.00 | 2.00 |
| MTC 1206 | 15.00 | 30.00 | 2.00 |
| MTC 1207 | 15.00 | 30.00 | 2.00 |
| MTC 1208(6) or (7) | 50.00 | 100.00 | 6.00 |
| Other MTC Offenses | | | |
| MTC 1403 | 15.00 | 30.00 | 2.00 |
| MTC 1405 | 15.00 | 30.00 | 2.00 |
| MTC 1407 | 35.00 | 70.00 | 4.00 |
| MTC 1411 | 15.00 | 30.00 | 2.00 |
| MTC 1412 | 15.00 | 30.00 | 2.00 |
| MTC 1704 | 15.00 | 30.00 | 2.00 |
| Motorcycles | | | |
| MTC 1502 | 15.00 | 30.00 | 2.00 |
| MTC 1503 | 15.00 | 30.00 | 2.00 |
| MTC 1504 | 15.00 | 30.00 | 2.00 |
| Georgetown Ordinances | | | |
| G.M.C. | | | |
| 10.04.050 | 15.00 | 30.00 | 2.00 |
| 10.04.060 | 50.00 | 100.00 | 6.00 |
| 10.04.065(a) | 30.00 | 60.00 | 4.00 |
| 10.04.065(b)(1) | 30.00 | 60.00 | 4.00 |
| 10.04.065(b)(2) | 500.00 | 600.00 | 36.00 |
| 10.04.065(e)(1) or (2) | 30.00 | 60.00 | 4.00 |

(13) 10.12.010 Takeoffs and landings prohibited. (Chapter 10.12, Aircraft)

Subject to the exception contained in Section 10.12.020, all aircraft takeoffs and landings are prohibited within the municipal limits of the Town, and no owner or operator of any airplane or aircraft of any nature whatsoever shall take off or land within the municipal limits of the Town. If any owner or operator violates the provisions of this Chapter, it shall constitute a general misdemeanor and, upon conviction, said owner or operator may be fined one thousand dollars (\$1,000.00) and/or imprisoned in jail for up to one (1) year.

(14) 12.24.130 Violation; penalty. (Chapter 12.24, Excavations)

It is unlawful for any person to excavate in the streets or alleys of the Town without first having obtained a permit as specified in this Chapter, and any person excavating in violation of

this Chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than one thousand dollars (\$1,000.00).

(15) 13.04.080 Unauthorized connections. (Chapter 13.04, General Provisions)

No person shall connect to the sewer and/or water systems, or enlarge or otherwise change equipment, service or use of property, without prior payment of the appropriate system development fee and the approval of an application for service, inclusive of an inspection of the water and sewer-using premises and taps. Upon the discovery of any unauthorized connection, the then-current system development fees shall become immediately due and payable, and the property shall automatically be assessed an unauthorized connection penalty. The unauthorized connection penalty shall be equal to twice the then-current system development fee for such property. The Town shall send written notice to the owner who shall have ten (10) days from the date of the notice to pay the current system development fee. If that fee is paid within the ten-day period, fifty percent (50%) of the unauthorized connection penalty shall be waived by the Town. In the event the then-current system development fee is not paid within the ten-day period, a notice of service termination shall be sent and service may be disconnected. Once discontinued, service may be returned to the property only upon receipt by the Town of both the unauthorized connection penalty and the then-current system development fee, along with any turn-on/turn-off fees, service charges or any other charges that may be due. The Town may lien and foreclose on any property for which water and/or sewer fees have not been paid.

(16) 13.50.150 Violations and penalties. (Chapter 13.50, Watershed Protection District)

(a) It shall be unlawful for any person to engage in or cause a violation of any provision of this Chapter or of any term or condition of any watershed permit, and such person shall be fined upon conviction thereof in an amount up to one thousand dollars (\$1,000.00), and/or imprisoned up to one (1) year in jail.

(b) Any development, activity, facility or structure which is continued, operated or maintained in violation of this Chapter or the terms and conditions of any watershed permit shall be subject to injunction, abatement and/or other appropriate legal remedy as may be sought and obtained by the Town, in which event the Town shall be entitled to recover its reasonable costs and attorney fees from the offending party or parties.

(c) All penalties and remedies for violations of this Chapter shall be nonexclusive and cumulative, and the Town's pursuit and/or exercise of one (1) remedy or penalty shall not foreclose or prohibit the pursuit and exercise of alternative or other remedies.

(17) 13.60.070 Violations and penalties. (Chapter 13.60, Water Conservation)

(a) Whenever a violation of this Chapter or a mandatory water conservation measure is observed, or whenever probable cause exists to believe a violation of this Chapter or a mandatory water conservation measure has occurred, a written notice shall be posted in a conspicuous place on the property where the violation is occurring or has occurred, and simultaneously sent by certified mail to the person or entity identified in the records of the Town as being the water service customer for the subject property. Said notice shall reasonably describe the violation and order that it be abated, corrected or cured either immediately or within such time as specified in the notice. A copy of the notice shall also be provided to the office of the Town Administrator; however, a failure to do so shall not invalidate or otherwise affect the notice. If the order is not timely complied with as specified in the notice, water service to the property upon which the violation occurred, or is occurring, may be disconnected.

(b) Any person or entity wishing to contest a water service disconnection notice or order may appeal and seek a hearing concerning the same within ten (10) days of the date of the disconnection notice or a service disconnection. The request shall be submitted to the office of the Town Administrator in writing. The Town Administrator, or his or her authorized designee, shall promptly schedule and conduct a hearing on the appeal and render a decision thereon, which decision shall be final.

(c) Violations of this Chapter shall be noncriminal in nature and punished by fine only. Any person found by the Municipal Court to have violated a provision of this section shall be fined not less than twenty-five dollars (\$25.00) for a first offense, fifty dollars (\$50.00) for a second offense, and one hundred dollars (\$100.00) for a third offense committed within a twelve-month period. Any person found to have committed more than three (3) previous violations, regardless as to when such violations occurred, shall be fined not less than three hundred dollars (\$300.00).

(d) In addition to any other fee or penalty as authorized under the Municipal Code, a fee of one hundred dollars (\$100.00) shall be paid for the reconnection of any water service disconnected pursuant to this Section.

(e) Neither the issuance of a notice or correction order as authorized in this Chapter, nor a water user's compliance therewith, shall be a prerequisite or bar to the initiation of a prosecution in the Municipal Court for a violation of this Section, or to the commencement of any other proceeding in law or equity to abate or remedy a violation.

(18) 15.04.020 Penalties for violations of the uniform codes. (Chapter 15.04, Adoption of Technical Codes)

(a) It shall be unlawful for any person, owner, occupant or contractor to erect, construct, enlarge, alter, repair, move, improve, remove, rehabilitate, convert, demolish, use, occupy, equip or maintain any building or structure in the Town, or cause the same to be done, contrary to or in violation of any of the provisions of this Title and the Town's building codes or regulations. Violations of this Section and the uniform codes adopted in this Title shall be punishable by a fine not to exceed one thousand dollars (\$1,000.00) or a term of imprisonment not to exceed one (1) year, or both such fine and imprisonment. A separate offense shall be deemed committed for each day, or portion of a day, that a violation occurs or continues unabated.

(b) The imposition of a penalty as provided in this Section shall not excuse a violation or permit it to continue, and all persons penalized may be required to correct or remedy the violation or defects within a reasonable time.

(19) 15.20.050 Penalties. (Chapter 15.20, Fire Code)

It shall be unlawful for any person to violate any provision of the fire code or fire safety regulations adopted by the Town and the Clear Creek Fire Authority, inclusive of the Uniform Fire Code, as amended, and any person found to have violated such codes or regulations shall be subject to a fine of not more than one thousand dollars (\$1,000.00), or imprisonment for a term not to exceed one (1) year, or both such fine and imprisonment.

(20) 15.52.070 Penalties. (Chapter 15.52, Erosion and Runoff Regulations)

Violations of this Chapter shall be deemed noncriminal in nature and may be punished by the imposition of a fine up to one thousand dollars (\$1000.00). Each day a violation shall continue shall be deemed a separate offense and be subject to a separate fine.

(21) 17.04.070 Enforcement and penalties. (Chapter 17.04, Introductory Provisions)

(a) It shall be unlawful for any person, including an owner, occupant, builder or agent, to develop or use, or to attempt to develop or use, any real property in violation of the provisions of this Title, and violations of this Title shall be punishable upon conviction for each separate offense by a fine up to five hundred dollars (\$500.00), or imprisonment up to ninety (90) days in jail, or by both such fine and imprisonment.

(22) 17.40.060 Financial warranties; area and bulk regulations; expiration of special use permits; revocation. (Chapter 17.40, Prospecting)

(d) Violation of the provision of this Title or of any of the conditions of approval of the special use permit or official development plan shall result in revocation of the permit in addition to the other penalties that can be imposed.

(23) 17.44.060 Financial warranties; area and bulk regulations; expiration of special use permits; revocation. (Chapter 17.44, Development/Mining Operations)

(d) Violation of the provision of this Title or of any of the conditions of approval of the special use permit or official development plan shall result in revocation of the permit in addition to the other penalties that can be imposed.

(24) 18.52.020 Repair or removal notice; notification of lien; certification by Town Clerk. (Chapter 18.52, Enforcement)

(c) The amount certified by the Town Clerk to the County Treasurer for collection shall include the actual cost of repair or removal of the sign, plus twenty-five percent (25%) to cover administrative costs, penalties, collection costs and interest.

Section 7. Additions or amendments to the Code, when passed in the form as to indicate the intention of the Town to make the same a part of the Code, shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

Section 8. Ordinances adopted after this Ordinance that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to those provisions of the Code.

Section 9. This Ordinance shall become effective thirty (30) days after publication thereof.

INTRODUCED, READ, APPROVED AND ORDERED PUBLISHED AND POSTED ON FIRST READING on this 25th day of March, 2003.

INTRODUCED, SECOND READING and FINALLY ADOPTED AFTER PUBLIC HEARING on the 13th day of May, 2003.

TOWN OF GEORGETOWN, COLORADO

ATTEST:

/s/ Lynn Granger

Lynn Granger, Police Judge

/s/ Phyllis Mehrer

Phyllis Mehrer, Town Clerk

(SEAL)

APPROVED AS TO FORM:

/s/ Edward Caswall
Edward Caswall, Town Attorney

Publication/Posting

- Published by title only in a newspaper of general circulation within Georgetown and posted in full at three conspicuous places within the Town for two continuous days after approval on first reading;

and

- Published in full in a newspaper of general circulation within Georgetown and posted in full in three conspicuous places within the Town for two continuous days after final adoption.

ATTEST:

/s/ Phyllis Mehrer
Phyllis Mehrer, Town Clerk

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