

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, behind 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 Bow Mar Municipal Code is amended by the addition thereto of a new Section 2-121, 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 Bow Mar 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Section 2-121 of the Bow Mar Municipal Code is repealed in its entirety and readopted to read as follows: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 2-121 of the Bow Mar 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Repeal: Sections, articles and chapters may be repealed as follows:

Section 2-121 of the Bow Mar Municipal Code is repealed in its entirety.

COLORADO CODE PUBLISHING COMPANY

PREFACE

The Town of Bow Mar, a statutory town, has published its Municipal Code in a format which features the following:

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

The *two-place section numbering system* places the chapter number first, followed by a hyphen and section number. This two-place system is simplified by the elimination of article numbering. Each section may be cited by the chapter and section numbers which, together with reserved section numbers, are in sequence within each chapter.

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.

The *Disposition of Ordinances Table* 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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STATE OF COLORADO
TOWN OF BOW MAR, COLORADO

ORDINANCE NUMBER 194
Series of 1995 - Trustee Bill No. _____

AN ORDINANCE OF THE TOWN OF BOW MAR, ADOPTING AND ENACTING A NEW MUNICIPAL CODE FOR THE TOWN OF BOW MAR; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING FOR THE ADOPTION OF SECONDARY CODES BY REFERENCE; PROVIDING A PENALTY FOR THE VIOLATION 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 Trustees of the Town of Bow Mar, Colorado:

Section 1. The code entitled *The Bow Mar Municipal Code* published by Colorado Code Publishing Company, consisting of Chapters 1 through 18, is adopted.

Section 2. All ordinances of a general and permanent nature enacted on or before this Ordinance, which are inconsistent with the provisions of the Bow Mar 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 are hereby adopted by reference and incorporated in the Bow Mar Municipal Code. One (1) copy is on file in the Town Clerk's office:

- (1) The *Model Traffic Code for Colorado Municipalities*, 1995 edition, published by the State Department of Transportation, as adopted and amended in Section 8-1 *et seq*;
- (2) The *Uniform Building Code*, 1994 edition, published by the International Conference of Building Officials, as adopted in Section 18-8 *et seq*;
- (3) The *Uniform Plumbing Code*, 1991 edition, published by the International Association of Plumbers, as adopted in Section 18-8 *et seq*;
- (4) The *Uniform Mechanical Code*, 1991 edition, published by the International Conference of Building Officials and the International Association of Mechanical and Plumbing Officials, as adopted in Section 18-8 *et seq*;
- (5) The *Uniform Swimming Pool, Spa and Hot Tub Code*, 1994 edition, published by the International Association of Mechanical and Plumbing Officials, as adopted in Section 18-8 *et seq*; and
- (6) The *Uniform Fire Code*, 1994 edition, published by the International Conference of Building Officials and the Western Fire Chiefs Association, as adopted in Section 18-8 *et seq*.

Section 5. The penalties provided by the Municipal Code of the Town of Bow Mar are hereby adopted as follows:

(1) **Sec. 1-72. General penalty for violation. (Article IV, General Penalty)**

Whenever in this Code any act is prohibited or declared to be unlawful, or the doing of any act is required and the failure to do such act is declared to be unlawful, and where no specific penalty is provided therefor, any adult person who shall be convicted of a violation of such provision of this Code can be punishable by a fine of not more than three hundred dollars (\$300.00), or by imprisonment in jail for not more than ninety (90) days, or by both such fine and imprisonment, except as hereinafter provided in Section 1-73. In addition, such person shall pay all court costs imposed by the court. Each day such violation continues shall be considered a separate offense.

(2) **Sec. 1-73. Application of penalties to juveniles. (Article IV, General Penalty)**

Any person who has not attained the age of eighteen (18) years at the time of conviction can be punished by a fine of not more than three hundred dollars (\$300.00) per violation or count.

(3) **Sec. 2-99. Contempt power. (Article V, Municipal Court)**

(a) When the Court finds any person to be in contempt, the Court may vindicate its dignity by imposing on the contemnor a fine not to exceed three hundred dollars (\$300.00) and imprisonment not to exceed a term of ten (10) days. Imprisonment of a juvenile contemnor shall not exceed forty-eight (48) hours.

(4) **Sec. 5-26. Penalty for violations. (Article II, Cable Television)**

The installation, operation or maintenance of a community antenna television system or cable communications system without a permit therefor as herein provided is declared to be a nuisance and a trespass upon the public property. Additionally, any person who shall be convicted of a violation of any provisions of this Chapter shall, for each offense, be fined in a sum not more than three hundred dollars (\$300.00) or imprisoned not to exceed ninety (90) days, or both so fined and imprisoned.

(5) **Sec. 7-140. Penalties. (Article VI, Dogs)**

Any person violating any section of this Article or responsible for any such violation shall, upon conviction, be punished as set forth in Section 1-72 of this Code. It is provided, however, that at least a fine of ten dollars (\$10.00) shall be imposed for a person's first conviction of this Article; at least a fine of fifty dollars (\$50.00) shall be imposed for such person's conviction under any section of this Article for a second offense which occurred within one (1) year of the offense for which the first conviction resulted; at least a fine of one hundred dollars (\$100.00) shall be imposed for such person's conviction under any section of this Article for a third offense which occurred within one (1) year of the offenses for which his or her first two (2) convictions resulted; and at least a fine of two hundred dollars (\$200.00) shall be imposed for such person's fourth and each subsequent conviction under any section of this Article for any offense which occurs within one (1) year of three (3) or more prior offenses for which such person is convicted. The minimum penalties for harboring a vicious dog shall be double the fines set forth immediately preceding in this Section, except not to exceed three hundred dollars (\$300.00), and if the owner of a vicious dog has not perma-

nently removed such vicious dog from the limits of the Town within three (3) days following conviction of the first or any subsequent offense for harboring such vicious dog, an additional summons and complaint may be filed and served against said owner, and such continuing harboring of such vicious dog within the Town limits shall be treated as a separate offense each time three (3) days have elapsed following the first or a subsequent conviction of harboring such vicious dog.

(6) **Sec. 10-121. Penalties for false burglar alarms. (Article VI, Offenses Against Public Peace, Order and Safety)**

(b) *False alarm* means the activation of an alarm system necessitating a response by the Police Department where criminal activity does not exist. A *false alarm* shall be a violation of this Code and shall be punishable by a fine of fifty dollars (\$50.00).

(7) **Sec. 10-154. Possession of cannabis. (Article VII, Offenses Relating to Alcohol and Drugs)**

(b) It is unlawful to possess one (1) ounce or less of cannabis or cannabis concentrate, and upon conviction thereof, or plea of guilty or no contest thereto, punishment shall not be by imprisonment, but shall be by a fine of not more than one hundred dollars (\$100.00).

(8) **Sec. 16-18. Violation and penalty. (Article I, Zoning)**

(a) Any person violating any provision of this Chapter shall be guilty of a petty offense, and upon conviction thereof shall be punished as set forth in Section 1-72 of this Code.

(b) In lieu of or in addition to the foregoing penalty, the Building Commissioner or the Board of Trustees may pursue any other remedy at law or equity, including but not limited to injunctive relief, under the laws of the State for the enforcement of this Chapter. Such legal action or proceedings shall not prohibit the imposition of the penalties specified above.

(c) Further, if after fifteen (15) days' written notice a property owner fails or refuses to remove a nonconforming structure, vehicle in violation of Section 16-10, landscaping in violation of Section 16-12 or other structure or object in violation of this Chapter, the Building Commissioner may order any member of the Police Department to enter the premises of such owner and to take such steps as are reasonable to eliminate such violation.

(9) **Sec. 18-11. Administration, enforcement and penalties. (Article I, Building Regulations)**

(f) Penalties. Any person violating any of the provisions of this Chapter shall, upon conviction, be punished as set forth in Section 1-72 of this Code. These penalties may be imposed upon the owners or occupants of any property within the Town as well as upon any of their agents, employees or independent contractors who fail to comply with the provisions herein. In addition to the above penalties, the Building Commissioner in the name of the Town may institute appropriate action or proceedings to prevent such unlawful erection, construction, enlarging, altering, repairing, moving, improving or removing, or to restrain, correct or abate such violations.

Section 6. 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 7. 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 8. The Board of Trustees herewith finds, determines and declares that this Ordinance is necessary for the immediate preservation of the public health and safety in order to make this Ordinance applicable to the Town at the earliest possible date so that administrative efficiency may be obtained therefrom and to assure that the purposes of this Ordinance are met. This Ordinance shall become effective thirty (30) days after publication thereof.

INTRODUCED this 18th day of September, 1995.

TOWN OF BOW MAR, COLORADO

ATTEST:

(signature) _____
Alma F. Bergmann, Mayor

(signature) _____
Pat Hoffman, Town Clerk

(SEAL)

ADOPTED AND ORDERED PUBLISHED on this 26th day of February, 1996.

TOWN OF BOW MAR, COLORADO

ATTEST:

(signature) _____
Alma F. Bergmann, Mayor

(signature) _____
Pat Hoffman, Town Clerk

(SEAL)

APPROVED AS TO FORM:

(signature) _____
Mike Martin, Town Attorney

TOWN OF BOW MAR
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