

ORDINANCE NO. 1
(Series 2020)

**AN ORDINANCE AMENDING TITLES 1 AND 2 OF THE GEORGETOWN MUNICIPAL
CODE TO AMEND AND/OR REPEAL OUTDATED PROVISIONS**

WHEREAS, the Town of Georgetown is a Colorado municipal corporation operating under a Territorial Charter and governed by its Board of Selectmen; and

WHEREAS, the Georgetown Board of Selectmen ("Board") is authorized by the Territorial Charter and the Colorado Revised Statutes to enact ordinances for the preservation of the public health, safety, and welfare; and

WHEREAS, in the exercise of this authority the Board wishes to amend and/or repeal outdated provisions in the Georgetown Municipal Code ("Code"), specifically, Title 1 – General Provisions, and Title 2 – Administration and Personnel.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SELECTMEN OF THE TOWN OF GEORGETOWN, COLORADO:

Section 1. Section 1.24.040(c)(1) of the Code is amended to read as follows:

(1) Violations of any criminal provision of the Code shall be punished by a fine in an amount not to exceed two thousand six hundred fifty dollars (\$2,650.00), or by a term of imprisonment not to exceed THREE HUNDRED SIXTY-FOUR (364) DAYS ~~one (1) year~~, or both such fine and imprisonment.

Section 2. Code Section 1.24.060(a) is repealed in its entirety, and subsections (b) and (c) shall be renumbered as (a) and (b), respectively.

Section 3. Code Section 1.24.090 – "Additional remedies," is amended by designating the first paragraph in that section as subsection (a) and adding a new subsection (b) as follows:

(b) UNTIL PAID IN FULL, ALL FEES, CHARGES, RATES OR TOLLS FOR ABATEMENT OF A PUBLIC NUISANCE SHALL CONSTITUTE A FIRST AND PERPETUAL LIEN ON AND AGAINST THE LOT, LAND, BUILDING AND/OR PROPERTY DEEMED TO BE A PUBLIC NUISANCE; AND IN THE EVENT SAID FEES, CHARGES, RATES OR TOLLS ARE NOT PAID WHEN DUE, THE TOWN MAY CERTIFY SAME TO THE COUNTY TREASURER TO BE COLLECTED AND PAID OVER IN THE SAME MANNER AS TAXES, TOGETHER WITH THE COSTS OF COLLECTION.

Section 4. Code Section 1.24.100 – Limitations, is amended to read as follows:

1.24.100 – Limitations.

All actions for the recovery of any fine and prosecutions for the commission of any offense made punishable by imprisonment under this Code shall be barred THREE

(3) YEARS ~~one (1) year~~ after the commission of the offense for which a fine or penalty is sought to be recovered or imposed.

Section 5. The heading in Code Section 2.4.020 is amended by deleting the word "residency," to read as follows:

2.04.020 - Appointment; selection; ~~residency.~~

Section 6. Code Section 2.48.010 is amended to read as follows:

2.48.010 - Appointment of Attorney, Clerk, Treasurer and Marshal; terms of office.

There shall be appointed or reappointed by the Board of Selectmen ~~by not later than the second regular meeting of the Board after each regular Town election,~~ one (1) Town Attorney, one (1) Town Clerk, one (1) Town Treasurer and one (1) Town Marshal, who shall hold their respective offices at the pleasure of the Board of Selectmen.

Section 7. The heading in Code Section 2.48.020 is amended to read "Reserved" and the text below it is deleted in its entirety as follows.

2.48.020 - RESERVED ~~Oath of office; bond.~~

~~Before entering upon the duties of their respective offices, the officers named in Section 2.48.010 shall each take and subscribe an oath or affirmation that they will support the Constitution of the United States and the Constitution and laws of the State and that they will well and truly perform the duties of their office to the best of their skill and ability. Unless otherwise authorized by the Board of Selectmen, Town officers be bonded to the Town with sureties to be approved by the Board of Selectmen, in the penal sums named in this title, conditioned that they will faithfully perform the duties of their respective offices and that they will, when required by the Board of Selectmen, pay over all moneys and deliver all property in their custody belonging to the Town. Said oath and bond shall be filed with the Town Clerk.~~

Section 8. Code Section 2.52.010 is amended to read as follows:

2.52.010 – Fixing compensation by ~~resolution~~ BOARD OF SELECTMEN.

The compensation of the Police Judge, Marshal, Town Clerk and Town Treasurer and all other officers and agents of the Town shall be fixed from time to time by ~~resolution~~ of the Board of Selectmen. The Board shall also have the power at any time to reduce or increase the salary or compensation of any of said officers and agents and to establish the amount of compensation for any officer or other Town employee within an employment contract or through the setting of compensation levels pursuant to the adoption of a compensation/employee classification schedule which has been duly approved by ~~written resolution voted upon~~ by the Board of Selectmen.

Section 9. Code Section 2.52.020 is amended to read as follows:

2.52.020 - Other compensation prohibited; exception.

No officer or agent of the Town shall receive any compensation except as fixed and set forth in Section 2.52.010 or hereafter fixed ~~by resolution~~ by the Board of Selectmen, except that judges and clerks of elections shall receive the same compensation as is now or hereafter provided by state law for such officers when serving at state elections.

Section 10. Code Section 2.56.040 is amended to read as follows:

2.56.040 – Write-in candidate affidavit.

No write-in vote for Police Judge or any other elective office of the Town shall be counted unless an affidavit of intent was filed with the Town Clerk by the person whose name is written in prior to ~~twenty (20)~~ SIXTY-FOUR (64) days before the day of the election, indicating that such person desires the office and is qualified to assume the duties of that office if elected.

Section 11. Code Section 2.56.050(a) is amended to read as follows:

2.56.050 – Election may be cancelled.

(a) If the only matter before the voters at an election is the election of persons to office and if, at the close of business on the ~~nineteenth~~ SIXTY-FOURTH (64TH) day before the election, there are not more candidates than offices to be filled at such election, including candidates filing affidavits of intent, the Town Clerk, if instructed by resolution of the Board of Selectmen either before or after such date, shall cancel the election. Notification of cancellation shall be made as required by statute and all nominated candidates shall be declared and deemed elected by said resolution.

Section 12. The Town's Code codifier is hereby authorized and directed to make all such numbering, formatting and grammatical corrections to effectuate this Ordinance.

Section 13. Effective Date. This ordinance shall take effect upon final adoption as provided by Section 5.26 of the Territorial Charter.

INTRODUCED, READ, APPROVED AND ORDERED POSTED IN FULL ON FIRST READING on the 25th day of February, 2020.

**INTRODUCED ON SECOND READING, FINALLY ADOPTED AND ORDERED
POSTED AFTER PUBLIC HEARING on the 10th day of March, 2020.**

TOWN OF GEORGETOWN



Lynette Kelsey, Police Judge

ATTEST:



Jennifer Yobski, Town Clerk

Posted up in full on the Town's website and at Town Hall and two (2) other designated posting locations within the limits of the Town after final adoption, in accordance with Section 5.26 of the Territorial Charter.



Jennifer Yobski, Town Clerk

Date: 3-12-20

