

**TOWN OF EAGLE, COLORADO  
ORDINANCE NO. 17  
(Series of 2019)**

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF EAGLE, COLORADO AMENDING VARIOUS SECTIONS OF THE EAGLE MUNICIPAL CODE CONCERNING THE MAXIMUM SENTENCE FOR IMPRISONMENT FOR VIOLATIONS OF THE MUNICIPAL CODE

WHEREAS, the Colorado legislature recently enacted House Bill 19-1148 ("HB 1148"), effective August 2, 2019;

WHEREAS, HB 1148 reduces the maximum days of imprisonment that a municipal court may impose upon violators from one year to 364 days; and

WHEREAS, pursuant to this legislation, the Board of Trustees finds that amendment of the Eagle Municipal Code is necessary for the Town to comply with state law and for the protection of the public health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF EAGLE, COLORADO, AS FOLLOWS:

Section 1. The chart found in Section 1.12.010(B) of the Eagle Municipal Code is hereby repealed in its entirety and reenacted as follows:

**Section 1.12.010. General penalties designated.**

\* \* \*

B. All municipal offenses are divided into three (3) categories of offenses. The three (3) classifications, and the maximum penalties which may be imposed for each classification, are as follows:

Class	Maximum Fine	Maximum Imprisonment
A	\$2,650.00	364 days
B	\$500.00	6 months
Non-criminal	\$500.00	None

7/3/2019

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Section 2. Section 3.06.120(A) of the Eagle Municipal Code is hereby repealed in its entirety and reenacted as follows:

**Section 3.06.120. Enforcement and penalties.**

A. It shall be unlawful for any person to intentionally, knowingly, or recklessly fail to pay the tax imposed by this Chapter, or to make any false or fraudulent return, or for any person to otherwise violate any provisions of this Chapter. Any person convicted of a violation of this Chapter shall be deemed guilty of a municipal offense, punishable by a fine of up to \$1,000.00 and three hundred sixty-four (364) days imprisonment or by both such fine and imprisonment. Each day, or portion thereof, that any violation of this Chapter continues shall constitute a separate offense.

\* \* \*

Section 3. The Class A introductory portion of the chart found in Section 11.04.050(B) of the Eagle Municipal Code is hereby repealed in its entirety and reenacted as follows:

**Section 11.04.050. Penalties for violation.**

\* \* \*

Class A Municipal Offenses  
(punishable by a maximum fine of \$2,650.00 and/or maximum imprisonment of 364 days)

Section 4. The chart found in Section 12.07.020(A) of the Eagle Municipal Code is hereby repealed in its entirety and reenacted as follows:

**Section 12.07.020. Enforcement and penalties.**

A. Any person or entity violating any of the provisions contained in the policies and regulations promulgated by the Board of Trustees concerning water irrigation conservation shall be subject to the following citations and fines:

Offense	Citation	Municipal Offense	Maximum Fine	Maximum Imprisonment
1	Door hanger and phone call			


2	Door hanger, phone call, and warning letter		\$100.00	
3	Warning letter and site visit	Non-criminal	\$500.00	None
4		Class A	\$2,650.00	364 days

Section 5. 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 hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 6. Safety. This Ordinance is deemed necessary for the protection of the public health, safety and welfare.

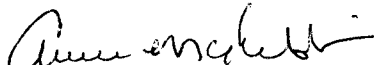
INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED ON JULY 9, 2019.

ATTEST:

  
 Jenny Rakow, Town Clerk



TOWN OF EAGLE, COLORADO

  
 Anne McKibbin, Mayor