

**TOWN OF MORRISON, COLORADO  
BOARD OF TRUSTEES**

**ORDINANCE NO. 493**

**AN ORDINANCE AMENDING SECTION 1-4-1 OF THE MORRISON MUNICIPAL CODE CONCERNING PENALTIES**

WHEREAS, the Town of Morrison is a Colorado home rule municipality operating under a Charter approved by the electorate pursuant to Article XX of the Colorado Constitution and governed by its elected Board of Trustees; and

WHEREAS, the Board of Trustees has authority pursuant to the Home Rule Charter and C.R.S. §31-16-101, et seq. to adopt and enforce all ordinances; and

WHEREAS, in the exercise of this authority the Board has previously enacted title 1, chapter 4 of the Morrison Municipal Code, concerning penalties for violation of the same; and

WHEREAS, the Board of Trustees desires to amend Section 1-4-1 of the Morrison Municipal Code concerning penalties to conform to requirements of state law.

**NOW, THEREFORE, BE IT ORDAINED by the board of trustees of the Town of Morrison, Colorado**

**Section 1. Municipal Code amended.** Section 1-4-1.A, is hereby amended as follows:

**1-4-1: PENALTIES ESTABLISHED:**

A. General Penalty: Whenever in any section of this Code, or any other ordinance, rule or regulation of the Town, with the exception of title 6, "Motor Vehicles And Traffic," of this Code, the doing of any act is required, prohibited or declared to be unlawful, any person who pleads guilty or nolo contendere, or who is convicted of a violation of any such section shall, for each offense, be fined in a sum of not more than two thousand six hundred fifty dollars (\$2,650.00) or shall be imprisoned for a term of not more than ~~one year~~ THREE HUNDRED SIXTY-FOUR DAYS, or shall be both so fined and imprisoned. As a part of such sentence, the court may order restitution to any aggrieved party for actual damage or loss caused by the offense to which a defendant pled guilty, nolo contendere, or was convicted. The defendant shall be guilty of a separate offense for each and every day during any portion of which any violation is committed, continued or permitted, and such person shall be punished accordingly. The Municipal Judge may suspend all or part of a sentence or fine of any defendant, and/or place the defendant on probation for a period not to exceed than ~~one year~~ THREE HUNDRED SIXTY-FOUR DAYS.

**Section 2.** All other references in the Code to a term of imprisonment of one year are hereby amended to read "three hundred sixty-four days."

**Section 3. Severability.** If any article, section, paragraph, sentence, clause or phrase of this ordinance, or the standards adopted herein is held to be unconstitutional or invalid for any reason, such decision will 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 hereof irrespective of the fact that any one part or parts are declared unconstitutional or invalid.

**Section 4. Effective Date.** This ordinance shall take effect fifteen (15) days after adoption and publication as provided by Section 3.14 of the Home Rule Charter.

**INTRODUCED, READ, PASSED AND ADOPTED** this 2nd day of June, 2020, by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

**TOWN OF MORRISON:**

\_\_\_\_\_  
Sean K. Forey, Mayor

**ATTEST:**

\_\_\_\_\_  
Lyndsey Paavilainen, Town Clerk