

CITY OF RIFLE, COLORADO
ORDINANCE NO. 10
SERIES OF 2018

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, PROHIBITING SMOKING IN THE CITY HALL PLAZA AND PARKING STRUCTURE, PROHIBITING OVERNIGHT PARKING AT THE CITY HALL PARKING STRUCTURE, AND AMENDING SECTION 10-12-60(C) OF THE RIFLE MUNICIPAL CODE REGARDING THE PENALTY FOR VIOLATING THE SMOKING BAN.

WHEREAS, the City of Rifle (“Rifle” or the “City”) is a home-rule municipality organized under Article XX of the Colorado Constitution and with the authority of the Rifle Home Rule Charter; and

WHEREAS, Section 10-12-50 of the Rifle Municipal Code authorizes the owner of any place to post signs prohibiting smoking which shall have the same effect of including such places where smoking is prohibited pursuant to Article XII, Chapter 10 of the Rifle Municipal Code; and

WHEREAS, the City Council seeks to protect nonsmokers from involuntary exposure to environmental tobacco smoke throughout the City Hall Plaza and the City Hall Parking Structure; and

WHEREAS, Section 8-1-120 of the Rifle Municipal Code authorizes the City to implement parking restrictions or prohibitions by postings signs giving notice of such restrictions or prohibitions; and

WHEREAS, the City Council desires to prohibit overnight parking at the City Hall Parking Structure; and

WHEREAS, Section 10-12-60(c) of the Rifle Municipal Code sets forth the penalty for violating the smoking ban and the City Council desires to add clarity as to the level of this municipal infraction.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF RIFLE, COLORADO, ORDAINS THAT:

1. Incorporation. The Rifle City Council adopts the foregoing recitals and conclusions as facts and determinations and incorporates them by reference as if set forth in full herein.
2. Smoking Prohibition. As authorized by Section 10-12-50 of the Rifle Municipal Code, City staff is directed to post signs indicating that smoking is prohibited throughout the City Hall Plaza and the City Hall Parking Structure.

3. Parking Restrictions. As authorized by Section 8-1-120 of the Rifle Municipal Code, City staff is directed to post signs in the City Hall Parking Structure prohibiting overnight parking.

4. Code Amendment. Section 10-12-60(c) of the Rifle Municipal Code is hereby amended as follows, with double underlined text added and ~~strike through language deleted~~:

Sec. 10-12-60. – Unlawful acts; penalty.

- (c) Any violation of the provisions of this Article is classified as a Class B municipal offense. ~~Upon conviction, a person who violates this Article shall be punished by a fine not to exceed two hundred dollars (\$200.00) for a first violation within a calendar year, a fine not to exceed three hundred dollars (\$300.00) for a second violation within a calendar year and a fine not to exceed five hundred dollars (\$500.00) for each additional violation within a calendar year. Each day of a continuing violation shall be deemed a separate violation.~~

INTRODUCED on July 18, 2018, read by title, passed on first reading, and ordered published by title as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado, held on August 1, 2018, passed without amendment, approved, and ordered published in full as required by the Charter.

Dated this ____ day of _____ 2018.

CITY OF RIFLE, COLORADO

By: _____
Mayor

ATTEST:

City Clerk