

**CITY OF RIFLE, COLORADO  
ORDINANCE NO. 8  
SERIES OF 2019**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO AMENDING  
CHAPTER 1, ARTICLE IV AND CHAPTER 10, ARTICLE 1 OF THE RIFLE  
MUNICIPAL CODE TO CONFORM PENALTY PROVISIONS WITH STATE  
LAW.

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

WHEREAS, the City of Rifle Municipal Code (the “Code”) currently provides for a maximum penalty of \$2,000 and one year in prison for violations of the Code; and

WHEREAS, by HB19-1148 the Colorado General Assembly reduced the maximum penalty permitted for the violation of a municipal ordinance to 364 days; and

WHEREAS, the City Council finds and determines that the following amendments to Chapter 1, Article IV and Chapter 10, Article I of the Code are in the best interest of the public health, safety and welfare of the citizens of Rifle.

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

1. The foregoing recitals are incorporated by reference as findings and determinations of the City Council.

2. Section 1-4-20 of the Rifle Municipal Code is hereby amended as follows, with underlined text added and ~~strike-through language deleted~~:

**Sec. 1-4-20. - General penalty for violation.**

- (a) Any person who violates or fails to comply with any provision of this Code or any rule or regulation promulgated thereunder, for which a different penalty is not specifically provided, shall, upon conviction thereof, be punished by a fine of not more than two thousand dollars (\$2,000.00), by incarceration not to exceed ~~one (1) year~~ three hundred sixty-four days, or by both such fine and incarceration, except as hereinafter provided in Section 1-4-30. In addition, such person shall pay all costs and expenses in the case, including attorney fees.
- (b) Each day such violation continues shall be considered a separate offense.

3. Section 10-1-40 of the Rifle Municipal Code is hereby amended as follows, with underlined text added and ~~strike through language~~ deleted:

Sec. 10-1-40. - Penalties.

(a) All municipal misdemeanor offenses are divided into three (3) categories of municipal offenses. The classification and maximum penalties for each offense are as follows:

<i>Class</i>	<i>Maximum Fine</i>	<i>Maximum Imprisonment</i>
A	\$2,000.00	<del>One Year</del> Three Hundred Sixty-Four (364) Days
B	\$1,000.00	Six Months
C	\$1,000.00	Ten Days

(b) If an offense carries a specific penalty, that penalty shall apply.

(c) Any offense not otherwise classified which does not carry a specific penalty is denominated as a Class A municipal offense.

INTRODUCED on July 1, 2019 read by title, passed on first reading, and ordered published as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado held on July 17, 2019, passed without amendment, approved, and ordered published in full as required by the Charter.

DATED this 17 day of July, 2019.

CITY OF RIFLE, COLORADO

By

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

