

ORDINANCE NO. 2368

INTRODUCED BY: ALLEN-THOMAS, DAVIS, DOUGLAS FORD, GRIMES, HURST, HUSEMAN, MADERA, NOBLE

AN ORDINANCE AMENDING SECTION 1-3006 OF THE COMMERCE CITY REVISED MUNICIPAL CODE TO CORRECT THE SECTION NAME, DEFINE PARK RANGER AS A PEACE OFFICER, AND ESTABLISH THE AUTHORITY OF PARK RANGERS TO ENFORCE ORDINANCE AND RULE VIOLATIONS RELATING TO THE USE OF COMMERCE CITY PARK PROPERTY

WHEREAS, the City of Commerce City (“City”) previously passed Ordinance No. 2343 on August 16, 2021;

WHEREAS, the purpose of Ordinance No. 2343 was to provide Adams County Park Rangers the authority as peace officers to assist the City with law enforcement activities and general crime deterrent activities regarding the use of City Parks, Recreation, and Golf (“PRG”) properties;

WHEREAS, following the adoption of Ordinance No. 2343, the City contracted with two Adams County Park Rangers to assist the City on a full-time basis to provide oversight, education, support, and enforcement specifically dedicated to the use of Commerce City Parks Properties;

WHEREAS, given the success of the Adams County Park Ranger program, staff has subsequently recommended the implementation of an internal City Park Ranger Program, to be carried out in collaboration with the Adams County program, which the Council has subsequently approved;

WHEREAS, through the 2022 budgeting process, the Council has specifically approved and budgeted funds to pay four Park Rangers in total (two Rangers from Adams County’s Program, and two new Ranger positions hired internally by Commerce City) for the purpose of having four full-time Park Ranger positions; all of whom shall be dedicated to the promotion of public safety, education, and enforcement with respect to the use of the Commerce City Parks Properties, and compliance with all ordinances, rules, and regulations related thereto;

WHEREAS, as it is currently written Ordinance 2343 does not define “park ranger” as a peace officer meaning that Park Rangers hired directly by the City do not have lawful authority to enforce ordinance and rule violations; and

WHEREAS, in order to ensure continuity in Park Ranger enforcement activities and to lawfully authorize Park Ranger, it is necessary to correct the title of and further amend Section 1-3006, as set forth in Exhibit B to this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO, AS FOLLOWS:

SECTION 1. Findings. The recitals to this ordinance are incorporated as findings of the City Council. This ordinance is found to be necessary for the preservation of the public health, safety, and welfare and in the public interest.

SECTION 2. Amendments.

a. Section 1-3006 of the Commerce City Revised Municipal Code is amended as set forth in Exhibit A to this ordinance, with the specific changes as depicted in Exhibit B to this ordinance.

SECTION 3. Repealer. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or

SECTION 4. Effective Date. This ordinance shall be effective as set forth at section 5.3 of the Commerce City Charter.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED
THIS 21ST DAY OF MARCH, 2022.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED
THIS 18 DAY OF APRIL, 2022.

CITY OF COMMERCE CITY, COLORADO

Benjamin A. Huseman, Mayor

ATTEST

Dylan A. Gibson, City Clerk

EXHIBIT A TO ORDINANCE

BEGIN

Sec. 1-3006. – Peace officers.

In addition to any authorization provided in a specific section of this Code, or in the codes adopted by the city by reference, city agents shall have authority to enforce municipal charter or ordinance violations as detailed in this section.

- (1) *Police officers.* City police officers, which shall include any peace officer engaged to provide law enforcement services for the city pursuant to a written contract signed by the chief of police, shall have the authority to enforce all municipal ordinance, Code, and Charter violations.
- (2) *Code enforcement inspectors.* Any city employee who holds the position of code enforcement inspector shall have authority to enforce municipal ordinance and Code violations related to land use, sales and use tax, nuisances, business licensing, parking, and building design, construction, and maintenance.
- (3) *Animal control agents.* Any city employee who holds the position of animal control agent shall have authority to enforce municipal ordinance violations related to animals and fowl.
- (4) *Community service officers.* Any city employee who holds the position of community service officer shall have authority to enforce municipal ordinance and code violations related to land use, animals and fowl, sales and use tax, nuisances, business licensing, parking, and building design, construction, and maintenance.
- (5) *Building official and building inspectors.* City employees who hold the position of building official or building inspector shall have authority to enforce municipal ordinance and code violations related to building design, construction, and maintenance.
- (6) *Tax auditors.* City employees who hold the position of tax auditor, at any level, shall have authority to enforce municipal ordinance violations related to sales and use tax.
- (7) *Firefighters.* Firefighters operating as employees or agents of the South Adams County Fire Protection District and the Greater Brighton Fire Protection District shall have authority to enforce the international fire code and parking restrictions related to fire safety.
- (8) *Park Rangers.* Any city employee who holds the position of park ranger shall have authority to enforce municipal ordinances, the municipal code, and any other administratively adopted rules and regulations, including permit conditions, on park property.
- (9) *Persons with conferred authority.* Persons to whom authority has been conferred expressly, pursuant to an intergovernmental agreement or contract approved by the city council or otherwise lawfully approved consistent with the charter and state law, to enforce municipal ordinance and code violations shall have authority to enforce municipal ordinance and code violations to the extent specified in such agreement or contract.

END

EXHIBIT B TO ORDINANCE 2368

Strikethrough text shows deletions; underlined text shows additions.

*****BEGIN*****

Sec. 1-3006. - ~~Penalties in general~~Peace officers.

In addition to any authorization provided in a specific section of this Code, or in the codes adopted by the city by reference, city agents shall have authority to enforce municipal charter or ordinance violations as detailed in this section.

- (1) *Police officers.* City police officers, which shall include any peace officer engaged to provide law enforcement services for the city pursuant to a written contract signed by the chief of police, shall have the authority to enforce all municipal ordinance, Code, and Charter violations.
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- (3) *Animal control agents.* Any city employee who holds the position of animal control agent shall have authority to enforce municipal ordinance violations related to animals and fowl.
- (4) *Community service officers.* Any city employee who holds the position of community service officer shall have authority to enforce municipal ordinance and code violations related to land use, animals and fowl, sales and use tax, nuisances, business licensing, parking, and building design, construction, and maintenance.
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- (9) ~~(8)~~ *Persons with conferred authority.* Persons to whom authority has been conferred expressly, pursuant to an intergovernmental agreement or contract approved by the city council or otherwise lawfully approved consistent with the charter and state law, to enforce municipal ordinance and code violations shall have authority to enforce municipal ordinance and code violations to the extent specified in such agreement or contract.

*****END*****